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TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

PART 331—PROCESSING DIRECT LOANS

SUBPART A—COUNTY OFFICE ROUTINE

FARM OWNERSHIP LOANS TO HOMESTEAD ENTRYMEN

In order to make the procedure for deferring initial installments set forth in § 331.3a, Title 6, Code of Federal Regulations (16 F. R. 10920), applicable to direct Farm Ownership loans made to homestead entrymen and to owners of newly irrigated farms within Federal reclamation projects, §§ 331.12 and 331.13, title 6, Code of Federal Regulations (15 F. R. 5869), are amended to read as follows:

§ 331.12 *General*— (a) *Authority.* Public Law 361, 81st Congress, authorizes the making of direct Farm Ownership loans to eligible homestead entrymen on unpatented public lands, including public land within Federal reclamation projects and in Alaska, for any purpose authorized by and in accordance with the provisions of title I of the Bankhead-Jones Farm Tenant Act, as amended.

(b) *Definition of term "Federal Reclamation Project."* For the purpose of this section and § 331.13, the term "Federal reclamation project" will mean any Federal reclamation project authorized by the reclamation law.

(c) *Cooperation between the Department of Agriculture and the Department of the Interior.* The extension of financial assistance authorized in paragraph (a) of this section will be facilitated through the cooperation of the Farmers Home Administration, the Bureau of Land Management, and the Bureau of Reclamation.

(d) *Extent of financial assistance.* Consistent with Farm Ownership policy, loans to homestead entrymen will include sufficient funds to put the farm in livable and operable condition at the outset, to provide needed water facilities, and, when necessary, to provide for refinancing (1) the outstanding balances of any existing mortgages against entryman's interests in the farm, (2) any construction or operation and maintenance charges, or irrigation district charges against the land which are due at the time of loan closing (3) the outstanding balance of any land leveling contract between the entryman and the Bureau of Reclamation, and (4) any taxes legally assessed against the farms which are due at the time of loan closing. If any items other than those specified above are to be refinanced, the prior approval of the Administrator will be required on an individual case basis.

(e) *Deferment of first installment.* When a Farm Ownership loan is made to a homestead entryman, the first installment on the loan may be deferred in accordance with the provisions of § 331.3a.

§ 331.13 *Loan processing.* Existing Farm Ownership policies, procedures, and loan approval authorities pertaining to the processing of direct Farm Ownership loans will be complied with except as follows:

(a) *Applications* — (1) *Applications from homestead entrymen not in Federal reclamation project.* An application for a Farm Ownership loan from a homestead entryman entering public land not within a Federal reclamation project will be considered only after the entryman has selected a farm and received his allowance of entry from the Bureau of Land Management. The original document showing allowance of entry must be attached to Form FHA–197, "Application for FHA Services."

(2) *Applications from homestead entryman in a Federal reclamation project.* An application for a Farm Ownership loan from a homestead entryman entering public land within a Federal reclamation project will not be considered until after the entryman has received a certificate of eligibility from the Bureau of Reclamation and has selected a farm. If at the time of making applications for a Farm Ownership loan the entryman has received his allowance of entry from the Bureau of Land Management, he will attach the original of such docu-

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

ment to Form FHA-197. If the entryman has not yet received his allowance of entry, a copy of his certificate of eligibility must be attached to Form FHA-197. However, the Farm Ownership loan docket will not be submitted to the State Field Representative for approval until the original document showing allowance of entry has been received from the applicant and placed in the loan docket.

(3) *Supplemental information on applicant.* At the time of making application for a Farm Ownership loan, the homestead entryman will authorize the Farmers Home Administration in writing to secure from the Bureau of Land Management or the Bureau of Reclamation any available information concerning his application for homestead or reclamation entry which may be used by the Farmers Home Administration in determining his eligibility for a Farm Ownership loan. This information will be treated as confidential by the Farmers Home Administration.

(b) *Docket development.* Loan docket forms will be prepared in accordance with this part.

(c) *Title clearance.* The entryman applicant will be required to furnish and pay for a certified statement prepared by a qualified title examiner or abstracter which will include findings with respect to any outstanding land leveling contracts and any other claims of any kind on record against the entry. This certified statement will be included in the loan docket. When there is an outstanding land leveling contract, the applicant's copy of such contract also will be included in the loan docket and marked for return to the County Supervisor.

(d) *Loan closing.* Farm Ownership loans to homestead entrymen will be closed in general accordance with §§ 331.3a and 331.11. Special mortgage forms will be received with the closing instructions from the representative of the Office of the Solicitor.

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1). Interprets or applies secs. 1 (a), 3 (b), 44 (b), 48, 54, 60 Stat. 1072, 1074, 1069, 1070, 1071, sec. 1, 62 Stat. 534, sec. 1, Pub. Law 361, 81st Cong., 63 Stat. 883, sec. 4, Pub. Law 123, 82d Cong.; 7 U. S. C. 1001 (a), 1003 (b), 1018 (b), 1022, 1028, 1006a)

DERIVATION: §§ 331.12 and 331.13 contained in Order, Administrator dated January 21, 1952.

[SEAL] DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

JANUARY 21, 1952.

Approved: February 8, 1952.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-1812; Filed, Feb. 13, 1952; 8:54 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

PART 729—PEANUTS

COUNTY ACREAGE ALLOTMENTS FOR THE 1952 CROP; GEORGIA

Basis and purpose. Section 358 (e) of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1358 (e)), provides that the Secretary of Agriculture may, if the State Production and Marketing Administration Committee recommends such action and the Secretary determines that such action will facilitate the effective administration of the provisions of the act, provide for the apportionment of the State acreage allotment among the counties in the State on the basis of the past acreage of peanuts harvested for nuts (excluding acreage in excess of farm allotments) in the county during the five years immediately preceding the year in which such apportionment is made, with such adjustments as are deemed necessary for abnormal conditions affecting acreage, for trends in acreage, and for additional allotments for types of peanuts in short supply under the provisions of section 358 (c) of the act. The State Production and Marketing Administration Committee for the State of Georgia has recommended that the 1952 State peanut acreage allotment heretofore established (16 F. R. 11991) be apportioned among the peanut-producing counties in the State pursuant to the provisions of section 358 (e) of the act. It is hereby determined that apportionment of the 1952 Georgia peanut acreage allotment among the counties in the State will facilitate the effective administration of the provisions of the act, and the purpose of this document is to announce such apportionment.

The recommendation of the Georgia State Production and Marketing Administration Committee to apportion the 1952 State peanut acreage allotment among the counties was made after due consideration of such data, views, and recommendations as were received pursuant to public notice (16 F. R. 10897) given in accordance with the Administrative Procedure Act (5 U. S. C. 1003), and the determinations made herein were made on the basis of the latest available statistics of the Federal Government. Peanut farmers in Georgia

are now making plans for the production of peanuts in 1952. In order that the State and county Production and Marketing Administration committees may establish farm acreage allotments and issue notices thereof to farm operators at the earliest possible date, it is essential that county acreage allotments for the counties in Georgia be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date provision of the Administrative Procedure Act is impracticable and contrary to the public interest, and the county acreage allotments contained herein shall be effective upon filing of the document with the Director, Division of the Federal Register.

Section 729.304 of the proclamation of 1952 county peanut acreage allotments, issued January 3, 1952 (17 F. R. 110), is amended by adding the following:

GEORGIA

County:	*1952 county acreage allotment*
Appling	634.0
Atkinson	201.0
Bacon	23.0
Baker	14,762.0
Baldwin	86.0
Bartow	36.0
Ben Hill	6,838.0
Berrien	1,997.0
Bibb	54.0
Bleckley	2,885.0
Brooks	5,174.0
Bryan	327.0
Bulloch	13,020.0
Burke	9,887.0
Calhoun	16,646.0
Candler	1,581.0
Chatham	2.5
Chattahoochee	377.0
Clay	12,074.0
Coffee	3,337.0
Colquitt	9,376.0
Columbia	16.0
Cook	1,480.0
Coweta	3.9
Crawford	364.0
Crisp	13,965.0
Dade	2.6
Decatur	16,413.0
Dodge	8,047.0
Dooly	18,783.0
Dougherty	6,801.0
Early	33,272.0
Echols	1.9
Effingham	596.0
Emanuel	3,786.0
Evans	712.0
Fayette	4.6
Fulton	8.3
Glascock	920.0
Grady	8,597.0
Gwinnett	1.9
Hancock	69.0
Harris	70.0
Henry	1.6
Houston	7,510.0
Irwin	14,986.0
Jeff Davis	173.0
Jefferson	5,256.0
Jenkins	3,587.0
Johnson	1,495.0
Jones	6.4
Lamar	5.1
Lanier	7.2
Laurens	10,044.0
Lee	15,917.0
Lowndes	944.0
McDuffie	26.0
Macon	6,735.0
Marion	4,178.0
Miller	19,652.0
Mitchell	20,902.0

GEORGIA—Continued

County:	*1952 county acreage allotment*
Monroe	2.3
Montgomery	1,534.0
Muscogee	57.0
Newton	30.0
Peach	1,278.0
Pierce	8.9
Pulaski	10,067.0
Quitman	4,525.0
Randolph	22,386.0
Richmond	1,022.0
Schley	3,437.0
Screven	5,746.0
Seminole	12,759.0
Stewart	9,145.0
Sumter	16,823.0
Talbot	392.0
Tattnall	1,260.0
Taylor	2,874.0
Telfair	4,154.0
Terrell	22,958.0
Thomas	5,644.0
Tift	12,437.0
Toombs	2,297.0
Treutlen	218.0
Turner	19,487.0
Twiggs	2,190.0
Upson	18.0
Ware	1.8
Warren	113.0
Washington	3,443.0
Wayne	11.0
Webster	9,655.0
Wheeler	1,170.0
Wilcox	12,970.0
Wilkinson	1,207.0
Worth	29,194.0
State total	545,171.0

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interprets or applies sec. 358, 52 Stat. 62, as amended; 7 U. S. C. 1358)

Issued at Washington, D. C., this 11th day of February 1952. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-1856; Filed, Feb. 13, 1952; 8:52 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 955—GRAPEFRUIT GROWN IN ARIZONA; IN IMPERIAL COUNTY, CALIF., AND IN THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF THE SAN GORGONIO PASS

RECODIFICATION

In accordance with the revised Federal Register Regulations (1 CFR Part 1), the format of the order, as amended (Order No. 55, 6 F. R. 2555; 14 F. R. 6803; 7 CFR Part 955) of the Secretary of Agriculture, regulating the handling of grapefruit grown in Arizona; Imperial County, California, and in that part of Riverside County, California, situated South and East of the San Gorgonio Pass (including the requisite findings set forth therein), and the format of the committee Rules and Regulations (13 F. R. 493; 7 CFR Part 955) adopted pursuant thereto with the approval of the Secretary of Agriculture, are recodified as hereinafter set forth.

To facilitate cross reference between the aforesaid order and the marketing agreement and to obviate possible difficulties in future amendatory proceedings, the provisions of Marketing Agreement No. 96 shall be renumbered and the section headings redesignated to conform to the recodified order. The provisions of the said marketing agreement which are not contained in the order shall be renumbered as follows: §§ 955.90 *Amendments;* 955.91 *Counterparts;* 955.92 *Additional parties;* and 955.93 *Order with marketing agreement.*

This recasting of the format and recodification is not intended, nor shall it be deemed, to make any substantive change in the provisions of the aforesaid order of the Secretary, the aforesaid marketing agreement, and the aforesaid committee regulations.

Done at Washington, D. C., this 11th day of February 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

SUBPART—ORDER RELATIVE TO HANDLING

FINDINGS AND DETERMINATIONS

DEFINITIONS

ADMINISTRATIVE COMMITTEE

EXPENSES AND ASSESSMENTS

REGULATIONS

REPORTS

MISCELLANEOUS PROVISIONS

AUTHORITY: §§ 955.0 to 955.170 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c.

SUBPART—ORDER RELATIVE TO HANDLING

SOURCE: §§ 955.0 to 955.80 contained in Order 55, 6 F. R. 2555; 14 F. R. 6803.

FINDINGS AND DETERMINATIONS

§ 955.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary, and in addition, to the findings and determinations made in connection with the issuance of this order; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein. (For original findings and determinations relative to issuance Order No. 55 see 6 F. R. 2555).

(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), hereinafter referred to as the "act," and the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Phoenix, Arizona, beginning on December 13, 1948, and at Coachella, California, beginning on December 15, 1948, upon proposed amendments to the marketing agreement and to Order No. 55 (7 CFR Part 955), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass. Upon the basis of the evidence introduced at such hearing, and the record thereof, it is found that:

(1) The said order as hereby amended and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(2) The said order as hereby amended regulates the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in the marketing agreement and the proposed amendments thereto upon which hearings have been held;

(3) The said order as hereby amended prescribes, so far as practicable, such different terms as are necessary to give due recognition to the difference in production and marketing of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass; and

(4) The said order as hereby amended is limited in its application to the smallest regional production area that is practicable, consistently with carrying out the declared policy of the act; and the issuance of several orders applicable to any subdivision of such regional production area would not effectively carry out the declared policy of the act.

(b) *Determinations.* It is hereby determined that: (1) The agreement amending the marketing agreement, regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, upon which the aforesaid public hearing was held, has been executed by handlers (excluding cooperative associations of producers who were not engaged in processing, distributing, or shipping the grapefruit covered by this order) who, during the period August 1, 1947, to July 31, 1948, both dates inclusive, shipped not less than 80 percent of the volume of grapefruit covered by said order, as hereby amended, and produced in the State of California, and not less than 50 percent of the grapefruit covered by said order, as hereby amended, and produced in the State of Arizona;

(2) The issuance of this order, amending the aforesaid order, is favored and approved by at least three-fourths of the producers who participated in a referendum on the question of its approval and who, during the determined representative period (August 1, 1947, to July 31, 1948, both dates inclusive), were engaged, within the State of California, in the production for market of grapefruit covered by this order, and by at least two-thirds of the producers who participated in a referendum on the question of its approval and who, during such determined representative period, were engaged, within the State of Arizona, in the production for market of grapefruit covered by this order; and

(3) The issuance of this order amending the aforesaid order is approved and favored by producers who, during the aforesaid determined representative period, produced for market, within the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of San Gorgonio Pass, at least two-thirds (⅔) of the volume of grapefruit produced for market within such production area within the said period by all producers who participated in said referendum.

It is therefore ordered, That, on and after December 15, 1949, the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, shall be in conformity to, and in compliance with, the terms and conditions of the aforesaid order as hereby amended. Such order, as amended, reads as follows:

DEFINITIONS

§ 955.1 *Secretary.* "Secretary" means the Secretary of Agriculture of the United States of America.

§ 955.2 *Act.* "Act" means the Agricultural Marketing Agreement Act of 1937, as amended and further amended by Public Law 305, 80th Cong., approved August 1, 1947 (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.).

§ 955.3 *Person.* "Person" means an individual, partnership, corporation, association, legal representative, or any organized group of individuals.

§ 955.4 *Fruit.* "Fruit" means grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass.

§ 955.5 *District.* "District" means any of the following:

(a) "Imperial District", which shall include that part of the State of California situated within Imperial County;

(b) "Coachella District", which shall include that part of Riverside County, California, situated south and east of the San Gorgonio Pass;

(c) "Yuma District", which shall include that part of the State of Arizona situated within Yuma County; and

(d) "Phoenix District", which shall include that part of the State of Arizona which is outside of Yuma County.

§ 955.6 *Producer.* "Producer" means any person engaged in the production of fruit for market.

§ 955.7 *Handler.* "Handler" is synonymous with "shipper" and means any person (except a common carrier of fruit owned by another person) who ships fruit in fresh form.

§ 955.8 *Ship.* "Ship" means to transport, ship, sell, or in any other way to place fruit in the current of commerce between the State of California and any point outside thereof in the United States or in Canada, or between the State of Arizona and any point outside thereof in the United States or in Canada, or so as directly to burden, obstruct, or affect such commerce.

§ 955.9 *Standard box.* "Standard box" means fruit packed in accordance with the requirements of a standard pack (as such pack is defined in the U. S. Standards for California and Arizona Grapefruit, issued May 1, 1937), in a box which has a rigid center partition and has inside dimensions of 11½ inches in depth, 11¼ inches in width, and 23$^{15}/_{16}$ inches in length, excluding the said center partition. For conversion purposes, a "standard box" shall be considered equivalent to 65 pounds of fruit, if the fruit is not packed, or if the fruit is packed in a container which has other than the aforesaid dimensions.

§ 955.10 *Fiscal Period.* "Fiscal period" means the period from August 1 of any year to July 31 of the following year.

§ 955.11 *Variety.* "Variety" or "varieties" means either or both of the following classification or groupings of fruit

(a) white seeded grapefruit, and white seedless grapefruit, and (b) pink seeded grapefruit, and pink seedless grapefruit.

ADMINISTRATIVE COMMITTEE

§ 955.20 *Establishment and membership.* (a) An Administrative Committee, consisting of eight members, is hereby established. There shall be an alternate member for each member of the committee, who shall have the same qualifications as the member. Each such member and alternate member shall be a producer.

(b) The initial members and alternate members shall hold office for a term beginning on the date designated by the Secretary and ending on July 31, 1942, or until their successors are selected and have qualified. After July 31, 1942, the term of office of members and alternate members shall begin on the first day of August and continue for one year or until their successors are selected and have qualified. The members, alternates, and their respective successors shall be nominated by producers and selected by the Secretary as provided in §§ 955.21 and 955.22.

§ 955.21 *Nomination.* (a) The Secretary shall cause to be held each year a meeting or meetings of the producers in each of the several districts, for the purpose of making nominations for members and alternate members of the Administrative Committee. The meetings at which the initial members and alternate members of the said committee are to be nominated may be held prior to the effective date of this subpart.

(b) Producers in Arizona shall nominate not less than sixteen producers, at least eight of whom shall be affiliated with cooperative marketing organizations and at least eight of whom shall not be so affiliated, for four members and four alternate members of the Administrative Committee. At least twelve of such nominees shall be producers in the Phoenix District, of whom at least six shall be affiliated with cooperative marketing organizations and at least six shall not be so affiliated. At least four of such nominees shall be producers in the Yuma District, of whom at least two shall be affiliated with cooperative marketing organizations and at least two shall not be so affiliated.

(c) Producers in the Imperial and Coachella Districts shall nominate not less than sixteen producers, at least eight of whom shall be affiliated with cooperative marketing organizations and at least eight of whom shall not be so affiliated, for four members and four alternate members of the Administrative Committee. At least eight of such nominees shall be producers in the Imperial District, of whom at least four shall be affiliated with cooperative marketing organizations and at least four shall not be so affiliated. At least eight of such nominees shall be producers in the Coachella District, of whom at least four shall be affiliated with cooperative marketing organizations and at least four shall not be so affiliated.

(d) In voting for nominees, each producer shall be entitled to cast one vote, regardless of the number of districts in which he may be producing fruit, which vote shall be cast on behalf of himself, his agents, partners, subsidiaries, affiliates, and representatives. Producers who are affiliated with a cooperative marketing organization may vote only for nominees who are affiliated with such organizations. Producers who are not affiliated with cooperative marketing organizations may vote only for nominees who are not affiliated with such organizations.

(e) For the fiscal period ending July 31, 1941, all nominations shall be submitted to the Secretary not later than fifteen days after the effective date of this subpart (May 26, 1941); and for ensuing years, beginning with the first day of August 1942, all nominations shall be submitted to the Secretary on on before the 20th day of July.

§ 955.22 *Selection.* In selecting the members and the alternate members of the Administrative Committee, the Secretary shall select four members and their alternates from the nominees selected by producers in Arizona. Two of such members and their alternates shall be affiliated with cooperative marketing organizations; two members and their alternates shall not be so affiliated; and one member and his alternate shall be producers in the Yuma District. The Secretary shall select two members and their alternates from the nominees selected by producers in the Imperial District and two members and their alternates from the nominees selected by producers in the Coachella District. In each of the Imperial and Coachella Districts, one member and his alternate shall be affiliated with a cooperative marketing organization and one member and his alternate shall not be so affiliated.

§955.23 *Failure to nominate.* In the event nominations are not made pursuant to, and within the time specified in, § 955.21 (e), the Secretary may select members and alternate members, without regard to nominations, from the individuals who are, or who represent members of the groups entitled to submit nominations.

§ 955.24 *Acceptance.* Any person selected by the Secretary as a member or as an alternate member of the Administrative Committee shall qualify by filing a written acceptance with the Secretary within fifteen days after being notified of such selection.

§ 955.25 *Alternate members.* An alternate member of the Administrative Committee shall act in the place and stead of the member for whom he is an alternate during such member's absence. In the event of the death, removal, resignation, or disqualification of a number, his alternate shall act for him until a successor of such member is selected and has qualified.

§ 955.26 *Vacancies.* To fill any vacancy occasioned by the failure of any person selected as a member or as an alternate member of the Administrative Committee to qualify, or in the event of the death, removal, resignation, or disqualification of any qualified member or qualified alternate member, a successor for his unexpired term shall be nominated and selected in the manner set forth in §§ 955.21 and 955.22. If nominations to fill any such vacancy are not made within twenty days after such vacancy occurs, the Secretary may fill such vacancy without regard to nominations.

§ 955.27 *Powers.* The Administrative Committee shall have the following powers: (a) To administer, as herein specifically provided, the terms and provisions of this subpart;

(b) To make rules and regulations to effectuate the terms and provisions of this subpart:

(c) To receive, investigate, and report to the Secretary complaints of violations of this subpart; and

(d) To recommend to the Secretary amendments to this subpart.

§ 955.28 *Duties.* It shall be the duty of the Administrative Committee:

(a) To select a chairman from its membership, and to select such other officers and adopt such rules and regulations for the conduct of its business as it may deem advisable;

(b) To keep minutes, books, and records which will clearly reflect all of its acts and transactions, which minutes, books, and records shall at all times be subject to the examination of the Secretary;

(c) To act as intermediary between the Secretary and the producers and handlers;

(d) To furnish the Secretary with such available information as he may request;

(e) To appoint such employees as it may deem necessary and to determine the salaries and define the duties of such employees;

(f) To cause its books to be audited by one or more certified public accountants at least once for each fiscal period, and at such other times as it deems necessary or as the Secretary may request, and to file with the Secretary copies of all audit reports;

(g) To prepare a monthly statement of financial operations of the committee and to make such reports, together with the minutes of the meetings of the said committee, available for inspection by any producer or handler at the office of the committee;

(h) To provide an adequate system for determining the total crop of fruit, and to make such determinations, including determinations by grade and size, as it may deem necessary, or as may be prescribed by the Secretary, in connection with the administration of this subpart; and

(i) To perform such duties in connection with the administration of section 32 of the act to amend the Agricultural Adjustment Act, and for other purposes, Public Act No. 320, 74th Congress, approved August 24, 1935 (49 Stat. 774), as amended, as may from time to time be assigned to it by the Secretary.

§ 955.29 *Compensation and expenses.* The members of the Administrative Committee, and alternates when acting as members, shall serve without compensation; but they may be reimbursed for expenses necessarily incurred by them in the performance of their duties and in

the exercise of their powers under this subpart.

§ 955.30 *Obligation.* Upon the removal or expiration of the term of office of any member of the Administrative Committee, such member shall account for all receipts and disbursements and deliver all property and funds, together with all books and records, in his possession, to his successor in office, and shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor full title to all of the property, funds, and claims vested in such member pursuant to this subpart.

§ 955.31 *Procedure.* (a) Six members of the Administrative Committee shall be necessary to constitute a quorum of the committee.

(b) For any decision of the Administrative Committee to be valid, six concurring votes shall be necessary. Except as provided in this section, each member, or alternate when acting as a member, must vote in person.

(c) The Administrative Committee shall give to the Secretary the same notice of meetings of the committee as is given to the members thereof.

(d) The Administrative Committee may provide for voting by telephone, telegraph, or other means; and any such vote so cast shall be confirmed promptly in writing.

EXPENSES AND ASSESSMENTS

§ 955.40 *Expenses.* The Administrative Committee is authorized to incur such expenses as the Secretary finds may be necessary to carry out the functions of the committee under this subpart during each fiscal period. The funds to cover such expenses shall be acquired by the levying of assessments upon handlers, as provided in § 955.41.

§ 955.41 *Assessments.* (a) Each handler who first ships fruit shall, with respect to each such shipment, pay to the Administrative Committee, upon demand, such handler's pro rata share of the expenses which the Secretary finds will be necessarily incurred by the said committee for its maintenance and functioning during each fiscal period. Such handler's pro rata share of such expenses shall be equal to the ratio between the total quantity of fruit shipped by such handler as the first shipper thereof, during the applicable fiscal period, and the total quantity of fruit shipped by all handlers as the first shippers thereof, during the same fiscal period. The Secretary shall fix the rate of assessment to be paid by such handlers.

(b) At any time during or after a fiscal period, the Secretary may increase the rate of assessment in order to secure sufficient funds to cover any later finding by the Secretary relative to the expenses of the Administrative Committee. Any such increase in the rate of assessment shall be applicable to all fruit shipped during the given fiscal period. In order to provide funds to carry out the functions of the Administrative Committee, handlers may make advance payment of assessments.

§ 955.42 *Accounting.* (a) If, at the end of the fiscal period, it shall appear that assessments collected are in excess of expenses incurred, each handler entitled to a proportionate refund shall be credited with such refund against the operations of the following fiscal period, unless he demands payment thereof, in which case such sum shall be paid to him.

(b) The Administrative Committee may, with the approval of the Secretary, maintain in its own name or in the name of its members, a suit against any handler for the collection of such handler's pro rata share of expenses.

§ 955.43 *Funds.* All funds received by the Administrative Committee pursuant to any provision of this subpart shall be used solely for the purposes specified in this subpart, and shall be accounted for in the manner provided in this subpart. The Secretary may, at any time, require the Administrative Committee and its members to account for all receipts and disbursements.

REGULATIONS

§ 955.50 *Marketing policy.* Before submitting any recommendation to the Secretary for the regulation of the shipment of any variety of fruit during any fiscal period, the Administrative Committee shall prepare a report setting forth a marketing policy with respect to the shipment of the varieties of fruit which the committee deems advisable for the current shipping season. Additional reports shall be submitted, from time to time, in the event that it is deemed advisable to adopt new marketing policies in view of changed demand and supply conditions with respect to any variety of fruit. The Administrative Committee shall publicly announce the issuance of any such report and copies thereof shall be made available for inspection by any producer or handler at the office of the Administrative Committee.

§ 955.51 *Recommendations for grade and size regulation.* (a) It shall be the duty of the Administrative Committee to investigate the supply and demand conditions for grades and sizes of the varieties of fruit. Whenever the committee finds that such conditions make it advisable to regulate the shipment of particular grades or sizes of any variety of fruit during any period, it shall recommend the particular grades or sizes thereof deemed advisable by it to be shipped during such period; and any such recommendation may include a proposal that shipments of such variety to Canada shall be limited to sizes different from the proposed size limitation applicable to shipments of the same variety in interstate commerce. Thereafter, the committee shall promptly report such findings and recommendations, together with supporting information, to the Secretary.

(b) In determining the grades and sizes of any variety of fruit deemed advisable to be regulated in view of the prospective demand therefor, the committee shall give due consideration to the following factors: (1) Market prices, including market prices by grades and sizes of each variety of fruit; (2) fruit of each variety on hand in the market areas, as evidenced by supplies en route and on track at the principal markets; (3) available supply, maturity, and condition of each variety of fruit in the producing area, including the grade and size composition of each variety of fruit remaining in the producing area; (4) supplies from competitive areas producing citrus fruits and other competitive fruit; and (5) trend in consumer income.

§ 955.52 *Recommendation for regulation by minimum standards of quality and maturity.* Whenever the Administrative Committee deems it advisable to regulate during any period the shipment of fruit by establishing minimum standards of quality and maturity, it shall so recommend to the Secretary. With each such recommendation the committee shall submit to the Secretary the information and data on which such recommendation is predicated; and the committee shall also submit to the Secretary such other information as he may request.

§ 955.53 *Issuance of regulation.* (a) Whenever the Secretary shall find, from the recommendation and information submitted by the Administrative Committee or from other available information, that to limit the shipment of any variety or varieties of fruit to particular grades and sizes thereof would tend to effectuate the declared policy of the act, he shall so limit the shipments of such variety or varieties during a specified period; and any such regulation may provide that shipments of such variety or varieties to Canada shall be limited to sizes different from the size limitation applicable to shipments of the same variety or varieties in interstate commerce. The Administrative Committee shall be informed immediately of any such regulation issued by the Secretary; and the said committee shall promptly give adequate notice thereof to handlers.

(b) Whenever the Secretary finds from the recommendation and information submitted by the committee, or from other available information, that to establish and maintain in effect minimum standards of quality or maturity, or both, for the shipment of fruit during any period would tend to effectuate the declared policy of the act and be in the public interest, he shall establish such standards, designate such period, and so limit the shipment of such fruit. The Secretary shall immediately notify the committee of the issuance of any such regulation; and the said committee shall promptly give adequate notice thereof to handlers.

§ 955.54 *Notice of meeting.* The Administrative Committee shall give public notice of at least forty-eight hours of any meeting to be held for the purpose of making any recommendation pursuant to §§ 955.51 and 955.52.

§ 955.55 *Inspection and certification.* During any period in which the Secretary has regulated the shipment of any variety or varieties of fruit pursuant to this section, each handler shall, prior to making each shipment of such variety or varieties, cause such shipment to be inspected by an authorized representative of the Federal-State Inspec-

tion Service. Promptly thereafter, such handler shall submit to the Administrative Committee a copy of the inspection certificate issued thereon: *Provided*, That this provision shall not be applicable to a handler who ships any variety of fruit which has been so inspected and a copy of such inspection certificate has been submitted to the Administrative Committee.

REPORTS

§ 955.60 *Shipping manifest report.* The Administrative Committee may require information from each handler regarding the grade, size, and variety of each standard box contained in each individual shipment made by such handler, and may require such information to be delivered to the said committee within twenty-four hours after such shipment is made, in such manner as the said committee may prescribe and upon forms prepared by it.

§ 955.61 *Disposition report.* The Administrative Committee may, from time to time, require each handler to furnish the following information with respect to fruit: (a) Quantity of each variety shipped in interstate commerce and to Canada; (b) quantity of each variety shipped by express and parcel post; (c) quantity of each variety shipped for distribution to persons on relief, including donations for charitable purposes; (d) quantity of each variety sold for consumption in fresh form within the State of origin; (e) quantity of each variety exported to countries other than Canada; (f) quantity of each variety sold or otherwise disposed of for canning or for manufacturing into by-products; and (g) quantity of each variety disposed of otherwise.

§ 955.62 *Other reports.* Upon request of the Administrative Committee, made with the approval of the Secretary, every handler shall furnish to such committee, in such manner and at such times as it prescribes, such other information as will enable it to perform its duties and to exercise its powers under this subpart.

MISCELLANEOUS PROVISIONS

§ 955.70 *Fruit not subject to regulation.* Nothing contained in this subpart shall be construed to authorize any limitation of the right of any person to ship fruit (a) by express or parcel post, when made in units of five standard boxes or less; or (b) for consumption by charitable institutions or distribution by relief agencies; or (c) for conversion into by-products; or (d) for export to foreign countries other than Canada; nor shall any assessment be levied on fruit so shipped. The Administrative Committee may prescribe adequate safeguards to prevent fruit shipped for the purposes designated in paragraphs (b) and (c) of this section, from entering commercial fresh fruit channels of trade contrary to the provisions of this subpart. The term "by-products" as used in this section includes all processed and manufactured products of fruit, including canned or bottled fruits and fruit juices: *Provided*, That fruit shipped for conversion into fruit juices, without further processing or treatment to render the same bona fide manufactured or processed products, shall be deemed fresh fruit and shall be subject to the provisions of this subpart.

§ 955.71 *Compliance.* Except as provided in this subpart, no handler shall ship any variety of fruit, the shipment of which has been prohibited by the Secretary in accordance with the provisions of this subpart; and no handler shall ship any variety of fruit except in conformity to the provisions of this subpart.

§ 955.72 *Right of the Secretary.* The members of the Administrative Committee (including successors and alternates), and any agent or employee appointed or employed by the committee, shall be subject to removal or suspension by the Secretary at any time. Each and every order, regulation, decision, determination, or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the said committee shall be deemed null and void, except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

§ 955.73 *Effective time.* The provisions of this subpart shall become effective May 26, 1941, and shall continue in force until terminated in one of the ways specified in § 955.74.

§ 955.74 *Termination.* (a) The Secretary may, at any time, terminate the provisions of this subpart by giving at least one day's notice by means of a press release or in any other manner which he may determine.

(b) The Secretary may terminate or suspend the operation of any or all of the provisions of this subpart whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(c) The Secretary shall terminate the provisions of this subpart at the end of any fiscal period whenever he finds that such termination is favored by a majority of producers who, during the preceding fiscal period, have been engaged in the production of fruit for market: *Provided*, That such majority has, during such period, produced for market more than fifty percent of the volume of such fruit produced for market; but such termination shall be effective only if announced on or before June 30 of the then current fiscal period.

(d) The provisions of this subpart shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

§ 955.75 *Proceedings after termination.* (a) Upon the termination of the provisions of this subpart, the then functioning members of the Administrative Committee shall continue as trustees, for the purpose of liquidating the affairs of the said committee, of all the funds and property in the possession of or under control of such committee, including claims for any funds unpaid or property not delivered at the time of such termination. Action by said trusteeship shall require the concurrence of a majority of the said trustees.

(b) The said trustees shall continue in such capacity until discharged by the Secretary; shall, from time to time, account for all receipts and disbursements and deliver all property on hand, together with all books and records of the Administrative Committee and of the trustees, to such persons as the Secretary may direct; and shall, upon request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims vested in the Administrative Committee or the trustees pursuant to this section.

(c) Any person to whom funds, property, or claims have been transferred or delivered by the Administrative Committee or its members, pursuant to this section, shall be subject to the same obligations imposed upon the members of said committee and upon the said trustees.

§ 955.76 *Duration of immunities.* The benefits, privileges, and immunities conferred upon any person by virtue of this subpart shall cease upon the termination of this subpart, except with respect to acts done under and during the existence of this subpart.

§ 955.77 *Agents.* The Secretary may, by designation in writing, name any person, including any officer or employee of the Government, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this subpart.

§ 955.78 *Derogation.* Nothing contained in this subpart is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States to exercise any powers granted by the act or otherwise, or, in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 955.79 *Personal liability.* No member or alternate of the Administrative Committee, nor any employee or agent thereof, shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any handler or to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate, or employee, except for acts of dishonesty.

§ 955.80 *Separability.* If any provision of this subpart is declared invalid or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this subpart, or the applicability thereof to any other person, circumstance, or thing, shall not be affected thereby.

SUBPART—RULES AND REGULATIONS

SOURCE: §§ 955.120 to 955.170 appear at 13 F. R. 493.

§ 955.120 *General.* Unless otherwise provided in the marketing agreement and order or by specific direction of the Administrative Committee, all reports, applications, submittals, requests, and communications in connection with the marketing agreement and order shall be

addressed to, and all forms obtained from, Grapefruit Administrative Committee, 503 Security Building, Phoenix, Arizona.

§ 955.130 *Definitions.* Terms defined in the marketing agreement and order shall, when used in this subpart, have the same meaning as set forth in the marketing agreement and order.

§ 955.160 *Reports.* The reports required to be submitted by paragraphs (a) and (b) of this section shall cover all grapefruit shipped during a calendar week.

(a) *Weekly disposition of grapefruit.* (1) Each handler shall furnish the Administrative Committee, by not later than Monday of each calendar week, the following information on a properly executed Report of Weekly Grapefruit Movement (Form No. 2), in the manner prescribed on such form, with respect to all grapefruit handled by such handler, during the immediately preceding calendar week:

(i) The date of the last day of the calendar week;

(ii) The quantity shipped in interstate commerce, to Canada, and to other foreign countries;

(iii) The quantity shipped by express and parcel post;

(iv) The quantity shipped for distribution to persons on relief, including donations for charitable purposes;

(v) The quantity sold for consumption in fresh form within the State of origin;

(vi) The quantity sold or otherwise disposed of for canning or for manufacturing into by-products; and

(vii) The quantity disposed of otherwise.

(2) With respect to each shipment to a foreign country, as described in subparagraph (1) (ii) of this paragraph, each handler shall forward promptly to the Administrative Committee an executed copy of the bill of lading (if shipment was made by water) or an officially executed copy of such foreign country's landing certificate, stating that the fruit was imported from California or Arizona upon a specified date and that duty thereon has been paid or secured to be paid; the marks and numbers; the quantity; the description of the goods; the date of entry and number; the place from which shipment was made; and the signature of the Collector of Customs. A receipted railway freight bill paid at destination point within Canada may be submitted in lieu of a Canadian landing certificate.

(b) *Shipping manifest report.* Each handler shall forward to the Administrative Committee with each Report of Weekly Grapefruit Movement (Form No. 2), a separate copy of the manifest covering each shipment made during the calendar week of such report. Each such copy shall be one of the copies of Manifest (Form No. 8) originally issued for the particular shipment and shall contain the following information:

(1) The date of shipment;

(2) The name of the handler;

(3) The destination of the shipment;

(4) The number of the railroad car or the truck in which shipment was made;

(5) The number of boxes, by grades and sizes, of standard lidded pack;

(6) The number of boxes, by grades and sizes of flat pack;

(7) The number of pounds of loose fruit shipped; and

(8) The number of the inspection certificate issued for the shipment.

§ 955.170 *Fruit not subject to regulation*—(a) *Diversion of grapefruit.* Each handler who diverts grapefruit to a by-products plant, to a charitable institution, or by dumping shall, immediately upon such diversion, mail to the administrative Committee the following information on a properly executed Grapefruit Diversion Report (Form No. 1), in the manner prescribed on such form:

(1) The date on which the diversion was made;

(2) The name and address of each by-product plant, charitable organization, or official dump (as the case may be) to which such diversion was made:

(3) The license number of the truck or the initial and number of the railroad car in which such diverted fruit was transported;

(4) The quantity of fruit diverted, as aforesaid;

(5) The net weight of the fruit diverted to a byproducts plant, as weighed in at such plant; and

(6) The signatures of the handler and receiver of the diverted fruit.

[F. R. Doc. 52-1857; Filed, Feb. 13, 1952; 8:52 a. m.]

PART 957—IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREG.

TERMINATION OF LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to Marketing Agreement No. 98 and Order No. 57, as amended (7 CFR Part 957) regulating the handling of Irish potatoes grown in certain designated counties of Idaho and Malheur County, Oregon, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Idaho-Eastern Oregon Potato Committee established under said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of shipments of such potatoes no longer tends to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient for such compliance, and (ii) this order relieves restrictions imposed by the provisions of § 957.308 (16 F. R. 5833, 6501, 12035), which is hereinafter terminated.

Order. The provisions of § 957.308 (16 F. R. 5833, 6501, 12035) are hereby terminated as of 12:01 a. m., m. s. t., February 12, 1952.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 11th day of February 1952.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-1859; Filed, Feb. 13, 1952; 8:53 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[5th Gen. Rev. of Export Regs., Amdt. 93 [1]]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 380—AMENDMENTS, EXTENSIONS, TRANSFERS

PART 398—PRIORITY RATINGS AND SUPPLY ASSISTANCE ASSIGNED BY OIT

MISCELLANEOUS AMENDMENTS

1. Section 373.24 *Statement of past participation in exports for certain commodities* is amended to read as follows:

§ 373.24 *Statement of past participation in exports for certain commodities*—(a) *Statement of past participation*—(1) *General.* Oversubscription of export quotas for an increasing number of commodities in short supply indicates a greater use of the historical pattern of exports as a factor in the granting of export licenses in order to obtain a more equitable distribution of available quotas. Under this method of license issuance, the bulk of export quotas is reserved for those firms who have participated in exports during a representative base period. However, licensing on the historical basis does not preclude participation by exporters who do not have a record of past participation in exports during the base period since a certain portion of the quota is also reserved for those exporters within this category. Where necessary, a portion of the quota will also be set aside for especially urgent needs, such as military or defense-supported requirements.

This section sets forth the general provisions for submission by exporters of a statement of past participation in exports for the indicated commodities.

(2) *Requirement to file.* Applicants for licenses to export any commodities described in paragraph (b) of this section

[1] This amendment was published in Current Export Bulletin No. 656, dated February 7, 1952. The amendment to the Note following paragraph (c) of § 380.2 was published in the reprint pages of the Comprehensive Export Schedule, dated February 7, 1952.

are required to submit to the Office of International Trade a statement of past participation in exports of that commodity on Form IT–821, in duplicate, excluding exports specified in subparagraph (5) of this paragraph. This information shall be filed only once by an applicant, unless there is a change in the name of the reporting firm or in its relation with other firms. At the time of such change, a new Form IT-821 shall be submitted which refers to the original form and contains the new information. In order to be considered in relation to a specific quota, the completed Form IT-821 must be received in the Office of International Trade prior to the termination date for filing applications under that quota. The submission of this information does not guarantee that the applicant will receive a license for the full amount or any portion of the commodities covered by his license application.

(3) *Restrictive quota participation.* A single firm shall be entitled to only one participation in each quota established for each category of commodities specified in paragraph (b) of this section. The filing of dual applications or the claiming of an additional participation through any device whatsoever may result in the denial of export licensing privileges to all persons concerned.

(4) *Form IT-821.* The following information, in addition to other information specified on the form, shall be submitted on Form IT-821:

(i) On separate Forms IT-821 for each category of commodities, the total quantity of exports, excluding shipments covered by subparagraph (5) of this paragraph, from the United States to all foreign countries other than Canada (unless otherwise specified in paragraph (b) of this section) shipped in the exporter's name, i. e., for his own account, during each of the calendar years indicated in paragraph (b) of this section.

(ii) The names of each exporter, dealer, manufacturer, or other business organization (whether an individual, partnership, association, corporation, or other type of business organization) engaged in the export of the particular commodity being reported which is directly or indirectly owned or controlled by the applicant or which directly or indirectly owns or controls the applicant's operations. The date (month and year) when each such firm or organization was established and its relationship to the applicant's operations shall also be included.

(5) *Exports excluded from report.* Unless specifically requested, exportation of any commodity described in paragraph (b) of this section under conditions indicated in subdivisions (i) to (v) of this subparagraph shall not be included in this report. Those exporters who previously filed Form IT–821 and included thereon exports shipped under such conditions shall file an amended Form IT–821 excluding these shipments.

(i) Shipments to territories, dependencies and other possessions of the United States and Trust Territory of the Pacific Islands, i. e., the Caroline Islands, the Marshall Islands, and the Marianas Islands.

(ii) Toll shipments.

(iii) In-transit shipments.

(iv) Shipments under project licenses.

(v) Shipments to Canada.

(6) *Successors in interest.* A successor firm which has acquired the business interest of a predecessor may include its predecessor's record of past participation in exports for the purpose of establishing the successor firm's position as an historical exporter, provided that the predecessor is not entitled to claim the same past participation in exports. Such successor firm may submit Form IT–821 for consideration by the Office of International Trade and set forth thereon, or on an attached statement, a full explanation of the association between the entities concerned and including the following signed statement:

The terms of acquisition of the business interests of (name of predecessor firm) by (name of successor firm) precludes the predecessor firm from claiming past participation in exports for the purpose of obtaining export licenses under the historical pattern of export licensing.

NOTE: In the absence of a report on Form IT–821, OIT will assume that the applicant's total exports for each commodity were less in each of the specified calendar years than the established minimum amount (as shown in paragraph (b) of this section) for submission of Form IT–821, and his application for an export license will be considered under a portion of the export quota reserved for exporters in this category.

(b) *Commodities requiring statement of past participation.* Form IT–821 shall be submitted by applicants for export licenses, other than project licenses, for the following categories of commodities:

(1) *Truck and bus casings, passenger car casings, off-the-road casings, farm tractor and implement casings, and industrial casings, Schedule B Nos. 206000, 206210, 206430, 206440, 206460, and 206490.* Separate reports on Form IT–821 shall be submitted reflecting the quantity, in number of units of exports from the United States, made during each of the calendar years 1948, 1949, and 1950 to the following countries. This report shall be submitted only where the total of such exports to all of these countries was $10,000 or more during any one year for either (i) passenger car casings, Schedule B No. 206210 or for (ii) total of casings classified under Schedule B Nos. 206000, 206430, 206440, 206460, and 206490.

Belgian Congo.	Lebanon.
Belgium	Malaya.
Finland.	Philippine Islands.
France.	Singapore.
French Morocco.	Sweden.
Indonesia.	Switzerland.
Iran.	Syria.
Iraq.	Thailand.
Israel.	

(2) *DDT (dichlorodiphenyl trichloroethane), including preparations thereof containing 25 percent or more DDT (100 percent basis), Schedule B No. 820580.* The report on Form IT–821 shall cover the quantity (shown in the technical (100 percent) DDT equivalent) of exports from the United States made to any one country during each of the calendar years 1949 and 1950 where the total of such exports to that country was $250 or more for either year.

(3) *BHC (benzene hexachloride) and formulations thereof containing one percent or more of the gamma form, Schedule B No. 820585.* The report on Form IT–821 shall cover the quantity (by percentage strength (gamma isomer equivalent)) of exports from the United States made to any one country during each of the calendar years 1949 and 1950 where the total of such exports to that country was $250 or more for either year.

(4) *All controlled materials and certain additional commodities with processing code NONF:*

Corrugated aluminum sheet, Schedule B No. 630301;

Refined copper in cathodes, billets, ingots, wire bars, and other crude forms, Schedule B No. 641200; copper bars (except wire bars), Schedule B No. 642400;

Copper scrap, Schedule B No. 641300;

Brass and bronze scrap, new and old, Schedule B No. 644000; brass and bronze ingots, Schedule B No. 644100;

Lead pigs, bars, and anodes (includes blocks and ingots), Schedule B No. 650750;

Zinc slab, Schedule B Nos. 657101, 657103, 657125, 657198;

Any commodity listed in § 398.5 (f) of this subchapter (controlled materials) with the processing codes STEE and TNPL.

A separate report on Form IT–821 shall be filed for each Schedule B number and shall cover the quantity in Schedule B units of exports from the United States made during each of the calendar years 1949 and 1950 where the total of such exports for each commodity was $5,000 or more for any one year.

In preparing Form IT–821 for controlled materials, there shall be entered in Item 2 the appropriate Schedule B number and the "OIT Reference Code to Controlled Materials" (see § 398.5 (f) of this subchapter).

(5) *Plumbers' brass goods, Schedule B No. 618857.* The report on Form IT–821 shall cover the quantity of weight of exports from the United States during each of the calendar years 1949 and 1950, and during the first six months of the calendar year 1951 where the total of such exports was 1000 pounds or more for any one year and 500 pounds or more during the first six months of 1951.

(6) *Paper base stocks, Schedule B Nos. 460110, 460200, 460400, 460800, 461010, and 461900.* The report on Form IT–821 shall cover the quantity (air dry weight) for exports from the United States during each of the calendar years 1947, 1948, 1949, and 1950 where the total of such exports during any one year was 100 short tons or more.

(7) *Copper sulfate (Schedule B No. 820100).* The report on Form IT–821 shall cover the quantity of exports from the United States made to any one country during each of the calendar years 1949 and 1950 where the total of such exports to that country was $250 or more for either year.

This part of the amendment shall become effective as of February 7, 1952.

2. Part 373 *Licensing policies and related special provisions* is amended by adding thereto a new section (§ 373.33) to read as follows:

§ 373.33 *Special provisions for exportations of certain commodities to Japan and Ryukyu Islands (including Okinawa).* License applications for export of Controlled Materials Plan materials or CMP Class A products for export to Japan, Okinawa, or the Ryukyu Islands must include the information and documents as set forth in § 398.5 (d) of this subchapter.

This part of the amendment shall become effective as of February 15, 1952.

3. The note following § 380.2, paragraph (c), is amended in the following particulars:

In the first unnumbered paragraph *Amendment action by OIT, Washington, D. C.,* of Note 1, *Licenses held by collectors,* the second sentence is amended to read as follows: "If the request is rejected, or returned without action, the reasons therefor will be indicated in the upper right-hand corner, and the triplicate copy returned to the applicant."

This part of the amendment shall become effective as of February 7, 1952.

4. Section 398.5 *CMP: Export allocations and procedures* is amended in the following particulars:

a. Paragraph (d) *Exceptions to time schedules* is renumbered paragraph (e) *Exceptions to time schedules* and a new paragraph (d) is added to read as follows:

(d) *Additional requirements for shipment to Japan and the Ryukyu Islands (including Okinawa)*—(1) *Documents to accompany applications.* In filing license applications covering Controlled Materials Plan materials and CMP Class A products for export to Japan and the Ryukyu Islands (including Okinawa), an exporter must attach to his license application one of the following documents:

(i) Where the material covered by the license application is intended for civilian use within the domestic economy of the country, a statement certifying that the material covered by the license application has been approved for import into the particular country, and "is chargeable against a Department of Defense CMP allotment transferred to the Office of International Trade, Department of Commerce," and that an import license covering the material has been issued. This statement must be signed either by a representative of the Supreme Commander for the Allied Powers (SCAP) or by an official of the Department of Defense; or, in the case of Japan, by an official of the government agency authorized for this purpose by SCAP (the presently authorized agency is the Japanese Ministry of International Trade and Industry (MITI)); or, in the case of the Ryukyu Islands (including Okinawa), by an authorized official for the Commanding General, Ryukyus Command.

(ii) Where the material is intended for military use by the occupation forces, the original or photostat of a statement authenticated by the signature of an authorized official of SCAP or the Department of Defense, certifying that a specified allotment symbol has been assigned for the procurement of the material covered by the license application by authority of the National Production Authority.

(2) *Import permit.* In addition, the import permit number must be given under item (6) of the export license application.

NOTE: Applications lacking the documents or the import number prescribed above will be returned to the applicant without action.

b. Paragraph (e) *Controlled materials* is renumbered paragraph (f) *Controlled materials.*

This part of the amendment shall become effective as of February 15, 1952.

(Sec. 3, 63 Stat. 7, Pub. Law 33, 82nd Cong.; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director,
Office of International Trade.

[F. R. Doc. 52-1792; Filed, Feb. 13, 1952; 8:53 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, 63 Stat. 409; 21 U. S. C. 357), the regulations for certification of batches of antibiotic and antibiotic-containing drugs (21 CFR, 1950 Supp., 146; 16 F. R. 2471, 10157) are amended as indicated below:

1. Section 146.59 (c) (1) (iii) is amended to read as follows:

§ 146.59 *Penicillin tooth powder.* * * *

(c) *Labeling.* * * *

(1) * * *

(iii) The statement "Expiration date ----------," the blank being filled in with the date which is 12 months after the month during which the batch was certified, except that the blank may be filled in with the date which is 18 months after the month during which the batch was certified if the person who requests certification has submitted to the Commissioner results of tests and assays showing that after having been stored for such period of time such drug as prepared by him complies with the standards prescribed by paragraph (a) of this section.

2. Section 146.202 (c) (2) and (3) are amended to read as follows:

§ 146.202 *Aureomycin ointment* * * *

(c) *Labeling.* * * *

(2) On the outside wrapper or container, if it is packaged for ophthalmic use by man, the statement "Caution: Federal law prohibits dispensing without prescription," and a reference specifically identifying a readily available medical publication containing information (including contraindications and possible sensitization) adequate for the use of such ointment by practitioners licensed by law to administer such drug; or a reference to a brochure or other printed matter containing such information, and a statement that such brochure or printed matter will be sent on request: *Provided, however,* That this reference may be omitted if the information is contained in a circular or other labeling within or attached to the package.

(3) If it is not packaged for ophthalmic use by man, a circular or other labeling within or attached to the package bearing adequate directions and warnings for prophylactic use by man, or for the veterinary use of such ointment. Such circular or other labeling may also bear a statement that a brochure or other printed matter containing information for other uses of such ointment by practitioners licensed by law to administer such drug will be sent on request to such a practitioner.

3a. In § 146.204 *Aureomycin capsules* * * *, the first sentence of paragraph (a) *Standards of identity etc.* is amended by inserting the word "preservatives," between the words "buffer substances," and "diluents,".

b. In § 146.204, subparagraph (1) of paragraph (c) *Labeling* is amended by renumbering subdivision (iii) as (iv) and by inserting a new subdivision (iii) between subdivision (ii) and renumbered subdivision (iv):

(iii) If it contains a preservative, the name and quantity of each such ingredient;

This order, which provides for the use of an expiration date for penicillin tooth powder that is 18 months after the month during which the batch was certified if the one who requests certification has proved that the drug is stable for such time; for deletion of the prescription requirement for aureomycin ointment except when such drug is packaged for ophthalmic use; and for the optional use of preservatives in the manufacture of aureomycin capsules, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industry will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry and since it would be against public interest to delay providing for the changes set forth above.

(Sec. 701, 52 Stat. 1055, 21 U. S. C. 371. Interpret or apply sec. 507, 59 Stat. 463, as amended; 21 U. S. C. and Sup. 357)

Dated: February 8, 1952.

[SEAL] JOHN L. THURSTON,
Acting Administrator.

[F. R. Doc. 52-1824; Filed, Feb. 13, 1952; 8:53 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

Subchapter I—Grazing

PART 71—GENERAL GRAZING REGULATIONS

MISCELLANEOUS AMENDMENTS

1. Sections 71.6, 71.8, 71.13, 71.14, 71.16, 71.19, 71.24 and 71.27 are amended to substitute the term "area director" for the term "regional forester" wherever the latter term appears in said sections.

2. Section 71.25 is repealed.

3. Section 71.26 is amended to read as follows:

§ 71.26 *Definitions.* As used in this part:

(a) "Area director" means the officer in charge of an area office of the Bureau of Indian Affairs, or his duly authorized representative. The term "area director" is substituted for the term "regional forester" wherever the latter term appears in this part.

(b) "Superintendent" means the officer in charge of an Indian agency or his duly authorized representative.

(c) "Organized tribe" means a tribe organized under the provisions of the Indian Reorganization Act (48 Stat. 984; 25 U. S. C. 461–479), and "unorganized tribe" means a tribe not so organized.

(d) "Family" comprises all persons occupying a single habitation, or living in a single domestic group, whatever the age or relationship of the persons may be: *Provided*, That the Indians in general council or their duly authorized representatives may determine in cases of doubt who are members of a given family: *Provided further*, That an appeal may be taken from such a determination by any aggrieved Indian to the Commissioner of Indian Affairs: *Provided further*, That the Indians in general council or their duly authorized representatives, subject to the approval of the Commissioner of Indian Affairs, may establish a different definition of a family which must be generally applicable to all Indians of a reservation.

(R. S. 161, sec. 6, 48 Stat. 986; 5 U. S. C. 22, 25 U. S. C. 466)

OSCAR L. CHAPMAN,
Secretary of the Interior.

FEBRUARY 8, 1952.

[F. R. Doc. 52-1793; Filed, Feb. 13, 1952; 8:45 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes

[T. D. 5881; Regulations 111]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

CAPITAL ASSETS AND CERTAIN SHORT SALES OF CAPITAL ASSETS

On September 20, 1951, notice of proposed rule making, regarding sections 210 and 211 of the Revenue Act of 1950, approved September 23, 1950, was published in the FEDERAL REGISTER (16 F. R. 9570). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendments set forth below are hereby adopted. Such amendments are necessary in order to conform Regulations 111 (26 CFR Part 29) to sections 210 and 211 of the Revenue Act of 1950.

PARAGRAPH 1. Section 29.107–2, as amended by Treasury Decision 5458, approved June 15, 1945, is further amended by adding at the end of paragraph (a) thereof the following new sentence: "In the case of taxable years beginning after September 23, 1950, for the purpose of determining the tax which would be attributable to gain on the sale or exchange of an artistic work had such gain been received ratably in any prior taxable year, such gain shall be treated as gain from the sale or exchange of property which is not a capital asset."

PAR. 2. There is inserted immediately preceding § 29.117–1 the following:

SEC. 210. CAPITAL GAINS AND LOSSES (REVENUE ACT OF 1950, APPROVED SEPTEMBER 23, 1950).

(a) *Definition of capital assets.* Section 117 (a) (1) relating to the definition of capital assets) is hereby amended to read as follows:

(1) *Capital assets.* The term "capital assets" means property held by the taxpayer (whether or not connected with his trade or business), but does not include—

(A) Stock in trade of the taxpayer or other property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year, or property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business;

(B) Property, used in his trade or business, of a character which is subject to the allowance for depreciation provided in section 23 (l), or real property used in his trade or business;

(C) A copyright; a literary, musical, or artistic composition; or similar property; held by—

(i) A taxpayer whose personal efforts created such property, or

(ii) A taxpayer in whose hands the basis of such property is determined, for the purpose of determining gain from a sale or exchange, in whole or in part by reference to the basis of such property in the hands of the person whose personal efforts created such property; or

(D) An obligation of the United States or any of its possessions, or of a State or Territory, or any political subdivision thereof, or of the District of Columbia, issued on or after March 1, 1941, on a discount basis and payable without interest at a fixed maturity date not exceeding one year from the date of issue.

(b) *Amendment of section 117 (j).* The first sentence of section 117 (j) (1) is hereby amended by inserting before the period at the end thereof the following: ", or (C) a copyright, a literary, musical, or artistic composition, or similar property, held by a taxpayer described in subsection (a) (1) (C)".

(c) *Effective date.* The amendments made by this section shall be applicable with respect to taxable years beginning after the date of the enactment of this act.

PAR. 3. Section 29.117–1, as amended by Treasury Decision 5425, approved December 29, 1944, is further amended by adding at the end of paragraph (b) thereof the following new paragraph:

(b–1) With respect to taxable years beginning after September 23, 1950, a copyright, a literary, musical, or artistic composition, and similar property are excluded from the term "capital assets" if held by a taxpayer whose personal efforts created such property, or held by a taxpayer in whose hands the basis of such property is determined, for the purpose of determining gain from a sale or exchange, in whole or in part by reference to the basis of such property in the hands of the person whose personal efforts created such property. As to the application of section 117 (j) to the sale or exchange of such property held by such a taxpayer, see § 29.117–7. The phrase "similar property" includes, for example, such property as a theatrical production, a radio program, a newspaper cartoon strip, or any other property eligible for copyright protection (whether under statute or common law), but does not include a patent or an invention, or a design which may be protected only under the patent law and not under the copyright law.

PAR. 4. Section 29.117–6 is amended as follows:

(A) By changing the title thereof to read *Gains and losses from short sales; in general.*

(B) By adding at the end thereof the following new paragraph:

As to certain short sales of capital assets made after September 23, 1950, to which section 117 (l) applies, see § 29.117–10.

PAR. 5. Section 29.117–7, as amended by Treasury Decision 5394, approved July 27, 1944, is further amended as follows:

(A) By adding after "ordinary course of trade or business," in paragraph (a) (1) thereof the following: "or, with respect to taxable years beginning after September 23, 1950, is not a copyright, a literary, musical, or artistic composition, or similar property, held by a taxpayer described in section 117 (a) (1) (C)".

(B) By adding after "ordinary course of his trade or business," in the first sentence of paragraph (d) thereof the following: "or, with respect to taxable years beginning after September 23, 1950, which is a copyright, a literary, musical, or artistic composition, or similar property, held by a taxpayer described in section 117 (a) (1) (C),".

PAR. 6. There is inserted immediately after § 29.117–9, as added by Treasury Decision 5851, approved August 10, 1951, the following:

SEC. 211. SHORT SALES OF CAPITAL ASSETS (REVENUE ACT OF 1950, APPROVED SEPTEMBER 23, 1950).

(a) *Treatment of short sales.* Section 117 (relating to capital gains and losses) is hereby amended by adding at the end thereof the following new subsection:

(l) *Short sales, etc.* In the case of a short sale of property made by the taxpayer after the date of the enactment of the Revenue Act of 1950:

(1) *Short-term gains and holding periods.* If substantially identical property has been held by the taxpayer on the date of such short sale for not more than 6 months (determined without regard to the effect, under subparagraph (B) of this paragraph, of such short sale on the holding period), or if substantially identical property is acquired by

the taxpayer after such short sale and on or before the date of the closing thereof—

(A) Any gain upon the closing of such short sale shall be considered as a gain upon the sale or exchange of a capital asset held for not more than 6 months (notwithstanding the period of time any property used to close such short sale has been held); and

(B) The holding period of such substantially identical property shall be considered to begin (notwithstanding the provisions of subsection (h)) on the date of the closing of the short sale, or on the date of a sale, gift, or other disposition of such property, whichever date occurs first. This subparagraph shall apply to such substantially identical property in the order of the dates of the acquisition of such property, but only to so much of such property as does not exceed the quantity sold short.

For the purposes of this paragraph, the acquisition of an option to sell property at a fixed price shall be considered as a short sale, and the exercise or failure to exercise such option shall be considered as a closing of such short sale.

(2) *Long-term losses.* If substantially identical property has been held by the taxpayer on the date of such short sale for more than 6 months, any loss upon the closing of such short sale shall be considered as a loss upon the sale or exchange of a capital asset held for more than 6 months (notwithstanding the period of time any property used to close such short sale has been held, and notwithstanding the provisions of subsection (g) (2)).

(3) *Rules for application of subsection.* (A) The provisions of paragraph (1) (A) or (2) shall not apply to the gain or loss, respectively, on any quantity of property used to close such short sale which is in excess of the quantity of the substantially identical property referred to in the applicable paragraph.

(B) For the purposes of this subsection—

(i) The term "property" includes only stocks and securities (including stocks and securities dealt with on an "when issued" basis), and commodity futures, which are capital assets in the hands of the taxpayer;

(ii) In the case of futures transactions in any commodity on or subject to the rules of a board of trade or commodity exchange, a commodity future requiring delivery in one calendar month shall not be considered as property substantially identical to another commodity future requiring delivery in a different calendar month; and

(iii) In the case of a short sale of property by an individual, the term "taxpayer", in the application of this paragraph and paragraphs (1) and (2), shall be read as "taxpayer or his spouse"; but an individual who is legally separated from the taxpayer under a decree of divorce or of separate maintenance shall not be considered as the spouse of the taxpayer.

(C) Where the taxpayer enters into two commodity futures transactions on the same day, one requiring delivery by him in one market and the other requiring delivery to him of the same (or substantially identical) commodity in the same calendar month in a different market, and the taxpayer subsequently closes both such transactions on the same day, this subsection shall have no application to so much of the commodity involved in either such transaction as does not exceed in quantity the commodity involved in the other.

(b) *Effective date.* The amendment made by this section shall be applicable only with respect to taxable years beginning after the date of the enactment of this Act.

§ 29.117-10 *Gains and losses from certain short sales of capital assets*—(a) *General.* Section 117 (i) provides rules as to the tax consequences of certain short sales of property if, at the time of the short sale or on or before the date of the closing of the short sale, the taxpayer holds property substantially identical to that sold short. The term "property" is defined in section 117 (i) to include only stocks and securities (including stocks and securities dealt with on a "when issued" basis) and commodity futures, which are capital assets in the hands of the taxpayer. The section applies to short sales of such property made after September 23, 1950, but only with respect to gains and losses realized in taxable years beginning after September 23, 1950. Certain restrictions on the application of the section to commodity futures are provided in section 117 (i) (3) and paragraph (c) (2) of this section.

(b) *Treatment of short sales.* The first two rules, which are set forth in section 117 (i) (1), are applicable whenever property substantially identical to that sold short has been held by the taxpayer on the date of the short sale for not more than 6 months (determined without regard to rule (2), below, relating to the holding period) or is acquired by him after the short sale and on or before the date of the closing thereof. These rules are:

Rule (1). Any gain upon the closing of such short sale shall be considered as a gain upon the sale or exchange of a capital asset held for not more than 6 months (notwithstanding the period of time any property used to close such short sale has been held); and

Rule (2). The holding period of such substantially identical property shall be considered to begin (notwithstanding the provisions of section 117 (h)) on the date of the closing of such short sale or on the date of a sale, gift, or other disposition of such property, whichever date occurs first.

For the purpose of rule (1) and rule (2), the acquisition of an option to sell property at a fixed price shall be considered a short sale, and the exercise or failure to exercise such option shall be considered as a closing of such short sale.

The third rule, which is set forth in section 117 (i) (2), is applicable whenever property substantially identical to that sold short has been held by the taxpayer on the date of the short sale for more than 6 months. This rule is:

Rule (3). Any loss upon the closing of such short sale shall be considered as a loss upon the sale or exchange of a capital asset held for more than 6 months, notwithstanding the period of time any property used to close such short sale has been held. For the purpose of rule (3), the acquisition of an option to sell property at a fixed price is not considered a short sale, and the exercise or failure to exercise such option is not considered as a closing of a short sale.

Rules (1) and (3) do not apply to the gain or loss attributable to so much of the property sold short as exceeds in quantity the substantially identical property referred to in sections 117 (i) (1) and 117 (i) (2), respectively. Rule (2) applies to the substantially identical property referred to in section 117 (i) (1) in the order of the dates of the acquisition of such property, but only to so much of such property as does not exceed the quantity sold short. If property substantially identical to that sold short has been held by the taxpayer on the date of the short sale for not more than 6 months, or is acquired by him after the short sale and on or before the date of the closing thereof, and if property substantially identical to that sold short has been held by the taxpayer on the date of the short sale for more than 6 months, all three rules are applicable.

The following examples illustrate the application of these rules to short sales of stock in the case of a taxpayer who makes his return on the basis of the calendar year:

Example (1). A buys 100 shares of X stock at $10 per share on February 1, 1951, sells short 100 shares of X stock at $16 per share on July 1, 1951, and closes the short sale on August 2, 1951, by delivering the 100 shares of X stock purchased on February 1, 1951, to the lender of the stock used to effect the short sale. Since 100 shares of X stock had been held by A on the date of the short sale for not more than 6 months, the gain of $600 realized upon the closing of the short sale is, by application of rule (1), a short-term capital gain.

Example (2). A buys 100 shares of X stock at $10 per share on February 1, 1951, sells short 100 shares of X stock at $16 per share on July 1, 1951, closes the short sale on August 1, 1951, with 100 shares of X stock purchased on that date at $18 per share, and on August 2, 1951, sells at $18 per share the 100 shares of X stock purchased on February 1, 1951. The $200 loss sustained upon the closing of the short sale is a short-term capital loss to which section 117 (i) has no application. By application of rule (2), however, the holding period of the 100 shares of X stock purchased on February 1, 1951, and sold on August 2, 1951, is considered to begin on August 1, 1951, the date of the closing of the short sale. The $800 gain realized upon the sale of such stock is, therefore, a short-term capital gain.

Example (3). A buys 100 shares of X stock at $10 per share on February 1, 1951, sells short 100 shares of X stock at $16 per share on September 1, 1951, sells on October 1, 1951, at $18 per share the 100 shares of X stock purchased on February 1, 1951, and closes the short sale on October 1, 1951, with 100 shares of X stock purchased on that date at $18 per share. The $800 gain realized upon the sale of the 100 shares of X stock purchased on February 1, 1951, is a long-term capital gain to which section 117 (i) has no application. Since A had held 100 shares of X stock on the date of the short sale for more than 6 months, the $200 loss sustained upon the closing of the short sale is, by application of rule (3), a long-term capital loss.

Example (4). A sells short 100 shares of X stock at $16 per share on February 1, 1951. He buys 250 shares of X stock on March 1, 1951, at $10 per share and holds the latter stock until September 2, 1951 (more than 6 months), at which time, 100 of the 250 shares of X stock are delivered to close the short sale made on February 1, 1951. Since substantially identical property was acquired by A after the short sale and before it was closed, the $600 gain realized on the closing of the short sale is, by application of rule (1), a short-term capital gain. The holding period of the remaining 150 shares of X stock is not affected by section 117 (i), since this amount of the substantially identical property exceeds the quantity of the property sold short.

Example (5). A buys 100 shares of X stock at $10 per share on February 1, 1951, buys an additional 100 shares of X stock at $20 per share on July 1, 1951, sells short 100 shares of X stock at $30 per share on September 1, 1951, and closes the short sale on February 1, 1952, by delivering the 100 shares of X stock purchased on February 1, 1951, to the lender of the stock used to effect the short sale. Since 100 shares of X stock had

been held by A on the date of the short sale for not more than 6 months, the gain of $2,000 realized upon the closing of the short sale is, by application of rule (1), a short-term capital gain, and the holding period of the 100 shares of X stock purchased on July 1, 1951, is considered, by application of rule (2), to begin on February 1, 1952, the date of the closing of the short sale. If, however, the 100 shares of X stock purchased on July 1, 1951, had been used by A to close the short sale, then, since 100 shares of X stock had been held by A on the date of the short sale for not more than 6 months, the gain of $1,000 realized upon the closing of the short sale would be, by application of rule (1), a short-term capital gain, but the holding period of the 100 shares of X stock purchased on February 1, 1951, would not be affected by section 117 (1). If, on the other hand, A purchased an additional 100 shares of X stock at $40 per share on February 1, 1952, and used such shares to close the short sale at that time, then, since 100 shares of X stock had been held by A on the date of the short sale for more than 6 months, the loss of $1,000 sustained upon the closing of the short sale would be, by application or rule (3), a long-term capital loss, and, since 100 shares of X stock had been held by A on the date of the short sale for not more than 6 months, the holding period of the 100 shares of X stock purchased on July 1, 1951, would be considered, by application of rule (2), to begin on February 1, 1952, but the holding period of the 100 shares of X stock purchased on February 1, 1951, would not be affected by section 117 (1).

Example (6). A buys 100 shares of X preferred stock at $10 per share on February 1, 1951. On July 1, 1951, he enters into a contract to sell 100 shares of XY common stock at $16 per share when, as, and if issued pursuant to a particular proposed plan of reorganization. On August 2, 1951, he receives 100 shares of XY common stock in exchange for the 100 shares of X preferred stock purchased on February 1, 1951, and delivers such common shares in performance of his July 1, 1951, contract. Assume that the exchange of the X preferred stock for the XY common stock is a tax-free exchange pursuant to section 112 (b) (3), and that on the basis of all of the facts and circumstances existing on July 1, 1951, the "when issued" XY common stock is substantialy identical to the X preferred stock. Since 100 shares of substantially identical property had been held by A for not more than 6 months on the date of entering into the July 1, 1951, contract of sale, the gain of $600 realized upon the closing of the contract of sale is, by application of rule (1), a short-term capital gain.

(c) *Other rules for the application of section 117 (1)*—(1) *Substantially identical property.* The term "substantially identical property" is to be applied according to the facts and circumstances in each case. In general, as applied to stocks or securities, the term has the same meaning as the term "substantially identical stock or securities" used in section 118, relating to wash sales of stock or securities. For certain restrictions on the term as applied to commodity futures see subparagraph (2) of this paragraph. Ordinarily, stocks or securities of one corporation are not considered substantially identical to stocks or securities of another corporation. In certain situations they may be substantially identical; for example, in the case of a reorganization the facts and circumstances may be such that the stocks and securities of predecessor and successor corporations are substantially identical property. Similarly, bonds or preferred stock of a corporation are not ordinarily considered substantially identical to the common stock of the same corporation. However, in certain situations, as, for example, where the preferred stock or bonds are convertible into common stock of the same corporation, the relative values, price changes, and other circumstances may be such as to make such bonds or preferred stock and the common stock substantially identical property. Similarly, depending on the facts and circumstances, the term may apply to the stocks and securities to be received in a corporate reorganization or recapitalization, traded in on a when issued basis, as compared with the stocks or securities to be exchanged in such reorganization or recapitalization.

(2) *Commodity futures.* As provided in section 117 (1) (3) (B) (ii), in the case of futures transactions in any commodity on or subject to the rules of a board of trade or commodity exchange, a commodity future requiring delivery in one calendar month shall not be considered as property substantially identical to another commodity future requiring delivery in a different calendar month. For example, commodity futures in May wheat and July wheat are not considered, for the purpose of section 117 (1), substantially identical property. Similarly, futures in different commodities which are not generally through custom of the trade used as hedges for each other (such as corn and wheat, for example) are not considered substantially identical property. If commodity futures are otherwise substantially identical property the mere fact that they were procured through different brokers will not remove them from the scope of the term "substantially identical property". Commodity futures procured on different markets may come within the term "substantially identical property" depending upon the facts and circumstances in the case, with the historical similarity in the price movements in the two markets as the primary factor to be considered.

Since section 117 (1) applies only to sales or exchanges of capital assets, bona fide hedging transactions in commodity futures entered into by flour millers, producers of cloth, operators of grain elevators, etc., for the purpose of their business, and which do not give rise to capital gain or loss, are not within the scope of section 117 (1).

Section 117 (1) (3) (C), relating to so-called "arbitrage" transactions in commodity futures, provides that where a taxpayer enters into two commodity futures transactions on the same day, one requiring delivery by him in one market and the other requiring delivery to him of the same (or substantially identical) commodity in the same calendar month in a different market, and the taxpayer subsequently closes both such transactions on the same day, section 117 (1) shall have no application to so much of the commodity involved in either such transaction as does not exceed in quantity the commodity involved in the other.

The following example indicates the application of section 117 (1) to a commodity futures transaction:

Example. A, who makes his return on the basis of the calendar year, on February 1, 1951, enters into a contract through broker X to purchase 10,000 bushels of December wheat on the Chicago market at $2 per bushel. On July 1, 1951, he enters into a contract through broker Y to sell 10,000 bushels of December wheat on the Chicago market at $2.25 per bushel. On August 2, 1951, he closes both transactions at $2.50 per bushel. The $2,500 loss sustained on the closing of the short sale is a short-term capital loss to which section 117 (1) has no application. By application of rule (2) in paragraph (b) of this section, however, the holding period of the futures contract entered into on February 1, 1951, is considered to begin on August 2, 1951, the date of the closing of the short sale. The $5,000 gain realized upon the closing of such contract is, therefore, a short-term capital gain.

(3) *Husband and wife.* Section 117 (1) (3) (B) (iii) provides that, in the case of a short sale of property by an individual, the term "taxpayer" shall be read as "taxpayer or his spouse". Thus, if the spouse of a taxpayer holds or acquires property substantially identical to that sold short by the taxpayer, and the other conditions of this section are met, then the rules set forth herein are applicable to the same extent as if the taxpayer held or acquired the substantially identical property. For this purpose, an individual who is legally separated from the taxpayer under a decree of divorce or of separate maintenance shall not be considered as the spouse of the taxpayer.

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

[SEAL] JOHN B. DUNLAP,
Commissioner of Internal Revenue.

Approved: February 11, 1952.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 52-1855; Filed, Feb. 13, 1952; 8:53 a. m.]

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5880; Regulations 46]

PART 316—EXCISE TAXES ON SALES BY THE MANUFACTURER

FIREARMS, SHELLS, AND CARTRIDGES PURCHASED WITH FUNDS APPROPRIATED FOR THE MILITARY DEPARTMENTS

In order to conform Regulations 46 (26 CFR Part 316), relating to manufacturers' excise taxes under Chapter 29, subchapter A of the Internal Revenue Code, to section 706 of the Second Supplemental Appropriation Act, 1951 (Pub. Law 911, 81st Cong., 2d sess.), approved January 6, 1951, such regulations are hereby amended as follows:

PARAGRAPH 1. Immediately preceding § 316.80, there is inserted the following:

SEC. 706. SECOND SUPPLEMENTAL APPROPRIATION ACT, 1951 (PUBLIC LAW 911, 81ST CONG., 2D SESS.), APPROVED JANUARY 6, 1951.

None of the firearms, * * * shells, and cartiridges purchased with funds appropriated for the military deparements by this or any other Act shall be subject to any tax imposed on the sale or transfer of such articles.

PAR. 2. Section 316.81, as amended by Treasury Decision 5348, approved March 15, 1944, is further amended as follows:

(A) By striking out "§ 316.81 *Exempt sales.*" and inserting in lieu thereof "§ 316.81 *Exempt sales*—(a) *For use of United States, State, Territory, or possession of United States.*"

(B) By striking out paragraph (b) and inserting in lieu thereof the following:

(b) *Termination of U. S. exemptions.* By virtue of the amendment made by section 307 (a) (3) of the Revenue Act of 1943 of section 3407, and the application of section 307 (b) (2) to such amendment, the exemption with respect to sales of firearms, shells, and cartridges by the manufacturer for the use of the United States terminated on June 30, 1947. Accordingly, sales of such articles by the manufacturer thereof on and after July 1, 1947, to the United States for its own use are subject to tax, unless the sale is made pursuant to a contract entered into prior to July 1, 1947, or to any agreement or change order supplemental to such contract bearing the same Government contract number. (For sales to the military departments of the United States, see paragraph (b–1) of this section.)

(C) By adding a new paragraph (b–1), to read as follows:

(b–1) *Purchases for the military departments of the United States.* By virtue of the provisions of section 706 of the Second Supplemental Appropriation Act, 1951 (Public Law 911, 81st Congress, 2d Session), no tax attaches to the sale of firearms, shells, and cartridges paid for after January 5, 1951, with funds appropriated for the military departments of the United States by such act or any other act. For the purposes of this exemption the term "military departments" includes only the Department of the Army, Department of the Navy, and the Department of the Air Force. Included in the Navy are naval aviation and Marine Corps, and the Coast Guard when operating as a service in the Navy pursuant to the provisions of section 3 of Title 14 of the United States Code. Any manufacturer claiming exemption under this paragraph must be prepared to produce evidence which will establish the right to exemption. Generally, clearly identified orders or contracts of a military department when signed by an authorized officer of such department will be accepted in support of the exemption. However, in the absence of such orders or contracts, a statement signed by an authorized officer of a military department that the firearms, shells, or cartridges sold were purchased with funds appropriated for the military departments will be acceptable.

PAR. 3. Immediately preceding § 316.204, there is inserted the following:

SEC. 706. SECOND SUPPLEMENTAL APPROPRIATION ACT, 1951 (PUBLIC LAW 911, 81ST CONG., 2D SESS.), APPROVED JANUARY 6, 1951.

None of the firearms, * * * shells, and cartridges purchased with funds appropriated for the military departments by this or any other Act shall be subject to any tax imposed on the sale or transfer of such articles.

PAR. 4. Section 316.204, as amended by Treasury Decision 5854, approved September 13, 1951, is further amended by adding at the end thereof the following new paragraph:

(m) In any case where the manufacturer, producer, or importer of firearms, shells, and cartridges has paid tax on the sale of such articles to the military departments and payment of the purchase price was made after January 5, 1951, with funds appropriated for the military departments, a credit or refund may be allowed in the amount of such tax upon compliance with the provisions of paragraph (c) of this section if the manufacturer, producer, or importer has in his possession the evidence required to support tax-free sales to the military departments as prescribed in § 316.81 (b–1).

Because section 706 of the Second Supplemental Appropriation Act, 1951 became effective on January 6, 1951, the date of the enactment of such law, it is found that it is impracticable and unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

(53 Stat. 467; 26 U. S. C. 3791)

[SEAL] JOHN B. DUNLAP,
Commissioner of Internal Revenue.

Approved: February 11, 1952.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 52-1854; Filed, Feb. 13, 1952; 8:53 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Amdt. 5 to Supplementary Regulation 7]

CPR 22—MANUFACTURERS GENERAL CEILING PRICE REGULATION

SR 7—MODIFICATIONS AND ALTERNATIVE PROVISIONS FOR MANUFACTURERS OF CHEMICALS

MISCELLANEOUS CHANGES

Pursuant to the Defense Production Act of 1950, as amended, (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 5 to Supplementary Regulation 7 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

The amendment permits the use of alternative methods of computation in the recalculation of ceiling prices under Supplementary Regulation 17 or 18, which are already permitted in calculating ceiling prices under Ceiling Price Regulation 22. One such method is in relation to joint products, which permits a manufacturer to distribute allowable increases among products produced jointly by him in a manner other than the precise amount calculated for each of the joint products, provided the resulting increases are not greater in the aggregate than the increases otherwise allowable to him. Since this alternative method of computation does not result in over-all price increases, it is deemed appropriate that manufacturers of chemicals who recalculate their ceiling prices under Supplementary Regulation 17 or 18 be permitted to use this method. Another method provided by section 3 of Supplementary Regulation 7, regarding the calculation of the materials cost increases of sulphur, originally permitted to avoid unnecessary administrative burdens, is for the same reason, permitted for use by chemical manufacturers in recalculating their ceiling prices under Supplementary Regulation 17 or 18. The use of a repair and maintenance materials cost adjustment factor (which section 4 permits in calculation of CPR 22 ceiling prices) is not permitted in calculations under Supplementary Regulation 17, since such adjustment is reflected, in the overhead calculations provided by that regulation. Because, however, Supplementary Regulation 18 does not provide for overhead calculations, the extension of section 4 to calculations under Supplementary Regulation 18 is provided by this amendment.

Section 5 of Supplementary Regulation 7 is also amended to permit manufacturers of lead chemicals, who have customarily maintained uniform differentials among their prices for such chemicals, to apply an average increase to these chemicals and thus continue their uniform differentials, instead of applying the precise increase otherwise allowable by section 5. The amendment sets forth the method for weighting this average on the basis of sales and for computing the new ceiling prices. This provision results from a recommendation of the Industry Advisory Committee of pigment makers, who have stated that the increases permitted by section 5 have resulted in a distortion of their normal pricing pattern. The Industry Advisory Committee recommended that an averaging of the increases be permitted.

Another change effected by this amendment permits manufacturers of lead, zinc and cobalt chemicals to retain their ceiling prices calculated under this supplementary regulation without affecting their right to recalculate and put into effect ceiling prices for their other commodities under Supplementary Regulation 17 or 18. In making their calculations under Supplementary Regulation 17 or 18, manufacturers are, however, required to exclude their sales and costs of lead, zinc and cobalt chemicals. The changes correct a situation which required manufacturers in many cases to give up their adjustments under the Capehart amendment in order to retain the adjustments in ceiling prices for lead, zinc and cobalt chemicals permitted by the Supplementary regulation.

The changes effected by this amendment result, for the most part, from consultations with representatives of industry and from a consideration of their recommendations.

AMENDATORY PROVISIONS

Supplementary Regulation 7 to Ceiling Price Regulation 22 is amended in the following respects:

1. Section 5 is amended to read as follows: (Paragraphs (a), (b) (1) and (b) (2) are redesignations of previously existing paragraphs; paragraph (c) is new.)

SEC. 5. *Chemical compounds containing lead and zinc.* (a) This section applies to you if you manufacture chemical compounds, including dry pigments, containing at least 15 percent by weight of lead or zinc, or both of these metals, and if you use primary or secondary lead or zinc, or lead or zinc scrap, oxides, residues, or ores in the making of these chemical compounds.

(b) Your ceiling prices for these lead and zinc compounds otherwise determined under Ceiling Price Regulation 22 are increased in an amount calculated as follows:

(1) Determine the increase which the current ceiling price per pound of the lead and zinc used by you in the making of the compound represents over the cost per pound to you of the lead and zinc as of March 15, 1951, which you determined under section 18 of Ceiling Price Regulation 22 in calculating your ceiling prices for the compound under that regulation.

(2) Multiply the lead and zinc content of the compound by the increase calculated in paragraph (b) (1) of this section, or 2 cents per pound, whichever is less.

(c) If you have customarily maintained uniform differentials among your prices for lead chemicals in the same category, you may elect at any time to use ceiling prices for such lead chemicals calculated as follows:

(1) Multiply the increase allowed by this section for each lead chemical in the category by the number of pounds of such lead chemical sold by you during the six months ending June 30, 1951. Add these amounts.

(2) Divide the result in (1) by the total number of pounds of lead chemicals in the category sold by you during the six months ending June 30, 1951. The result is your allowable increase per pound for each lead chemical in the category.

(3) Add the allowable increase per pound to the ceiling price per pound for each lead chemical in the category which you have otherwise determined under Ceiling Price Regulation 22 (exclusive of Supplementary Regulation 17 or Supplementary Regulation 18, or of section 5 (b) of this Supplementary Regulation). The result is your new ceiling price for each lead chemical in the category.

2. A new section, designated as section 8, which reads as follows, is added:

SEC. 8. *Relation to other supplementary regulations to Ceiling Price Regulation 22.* (a) You may use the methods of computation permitted by sections 2 and 3 of this supplementary regulation when recalculating your ceiling prices under Supplementary Regulation 17 or Supplementary Regulation 18 to CPR 22.

(b) You may add your maintenance and repair materials cost adjustment calculated under section 4 to your ceiling prices calculated under Supplementary Regulation 18 to CPR 22. If you do so, you must report such adjustment as required by section 4 (c) (1).

(c) Your maintenance and repair materials cost adjustment factor, as calculated under section 4 (b) (5), and reported under section 4 (c), may be added to your "total cost adjustment factor" under section 3 or 4 of Supplementary Regulation 2 to CPR 22. Unless you have calculated your maintenance and repair cost adjustment factor on the basis of your entire business, you may include that factor in your "total cost adjustment factor" only if you use section 4 of Supplementary Regulation 2.

(d) You may elect to retain your ceiling prices for your lead and zinc chemicals, established by section 5 of this supplementary regulation, or for your cobalt chemicals, established by section 6 of this supplementary regulation notwithstanding the fact that you have recalculated and put into effect your ceiling prices for your other commodities pursuant to Supplementary Regulation 17 or Supplementary Regulation 18 to CPR 22. In making your calculations under Supplementary Regulation 17 or Supplementary Regulation 18, you must exclude your sales of lead, zinc and cobalt chemicals and your costs attributable to these chemicals.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup., 2154)

Effective date. This Amendment 5 to Supplementary Regulation 7 to Ceiling Price Regulation 22 is effective February 18, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

FEBRUARY 13, 1952.

[F. R. Doc. 52-1927; Filed, Feb. 13, 1952; 4:00 p. m.]

Chapter XV—Federal Reserve System

[Regulation W, Interpretations 47, 48, 49]

REG. W—CONSUMER CREDIT

INT. 47—VERIFICATION OF OPS CEILING PRICE

Questions have been presented concerning the application of Part 4 of section 9 (the Supplement to Regulation W), as amended, effective December 31, 1951, particularly as it relates to instalment loans subject to paragraph (a) of section 4 of the regulation.

As so amended, Part 4 provides in effect that where the "cash price" of a listed article is not less than the applicable maximum retail price prescribed by Federal price authorities, any instalment credit extended in connection with the purchase of the article shall not exceed the amount of such credit which would have been permitted if the article had been sold at the maximum retail price.

While the above provision, like paragraph (e) (1) of section 8 of the regulation, applies to both instalment vendors and instalment lenders, the position of the latter, as a practical matter, may not be identical with that of the former who always has specific, first-hand knowledge of the price for which he sells a listed article, whether that price be, for example, the prescribed maximum retail price to which he is subject or a lesser price. Furthermore, paragraph (d) of section 4 specifically provides that if an instalment lender "relies in good faith on the facts set out by the obligor in" the Statement of the Borrower (one such fact being the cash price of the article), "it shall be deemed to be correct for the purposes of the Registrant".

The amendment to Part 4 of section 9 was not intended to change the practice permissible to installment lenders under paragraph (d) of section 4 or to require an independent verification of a Statement of the Borrower the truth of which the Registrant had no reason to doubt. However, neither that paragraph nor paragraph (e) (1) of section 8 would protect an installment lender who, from any source, knew or had reasonable grounds for suspecting that the particular credit, if granted, would exceed the amount permitted by Part 4 because of either a fictitiously inflated price for the article or a price therefor in excess of the applicable maximum retail price.

INT. 48—"COMBINATION UNITS"

A question has been presented concerning the meaning of item 6 in Group B, Part 1, of section 9 (the Supplement to Regulation W) which covers "Combination units incorporating any listed article in the foregoing (5) classifications of this Group B". Inasmuch as item 2 of Group B covers "Dishwashers, mechanical, designed for household use," the Board, in 15 F. R. 8075 (12 CFR 222.120), redesignated as Interpretation 20 at 16 F. R. 1586, stated that a "combination unit" such as a kitchen sink including a dishwasher of the kind just described, would constitute a Group B article.

For these purposes, the Board is of the further view that to constitute such a "combination unit", the components thereof must be so manufactured as not to be reasonably susceptible of being sold separately. For example, a mechanical dishwasher which is manufactured as a separate unit and which may be purchased as a separate unit, and a counter top-sink bowl unit similarly manufactured and offered for sale would not constitute a "combination unit", even though they may be sold and delivered at or about the same time and installed so that the dishwasher may become an attached or supporting part of the counter top-sink bowl. In such a case, that portion of the credit applicable to the dishwasher would be subject to Group B, while that portion of the credit applicable to the counter top-sink bowl would be subject to Group D; and the resulting combined credit may be treated as provided by paragraph (d) of section 6 of the regulation.

INT. 49—INTERPRETATIONS CANCELLED OR MODIFIED

In view of the amendment to Regulation W, effective December 31, 1951 (16 F. R. 13132), the following interpretations or summary-interpretations published in the FEDERAL REGISTER are no longer effective and should be regarded as cancelled as from the effective date of this amendment:

Automobile Appraisal Guides, 15 F. R. 6217 (12 CFR 222.101), redesignated as Interpretation 1 at 16 F. R. 1586.

Used Automobiles, 15 F. R. 7755 (12 CFR 222.115), redesignated as Interpretation 15 at 16 F. R. 1586.

Sale of demonstrator Automobile, 15 F. R. 7829 (12 CFR 222.118, para. (33)), redesignated as Interpretation 18 at 16 F. R. 1586.

Automobile Appraisal Guides, 16 F. R. 1586, Interpretation 30.

Automobile Appraisal Guides, 16 F. R. 2037, Interpretation 31.

Automobile Appraisal Guides, 16 F. R. 3408, Interpretation 34.

Automobile Appraisal Guides, 16 F. R. 5321, Interpretation 36.

Other interpretations or summary-interpretations issued prior to the effective date of the amendment and which refer, for example, to "automobile appraisal guides" or "Part 5 of section 9 (the Supplement to the regulation)", should be considered and applied in the light of the changes made in the regulation by this amendment.

(Sec. 5, 40 Stat. 415, as amended, sec. 601, 64 Stat. 812, as amended; 50 U. S. C. App. Sup. 5, 2131. E. O. 8843, Aug. 9, 1941, 6 F. R. 4035; 3 CFR, 1941 Supp.)

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
S. R. CARPENTER,
Secretary.

[F. R. Doc. 52-1806; Filed, Feb. 13, 1952; 8:47 a. m.]

Chapter XVII—Housing and Home Finance Agency

[CR 3, Amdt. 5 to Appendix]

CR 3—RELAXATION OF RESIDENTIAL CREDIT CONTROLS: REGULATION GOVERNING PROCESS AND APPROVAL OF EXCEPTIONS AND TERMS FOR CRITICAL DEFENSE HOUSING AREAS

APP.—CRITICAL DEFENSE HOUSING AREAS

This amendment 5 amends the Appendix to CR 3 initially published in the FEDERAL REGISTER November 20, 1951 (16 F. R. 11731) and last amended by Amendment 4 published January 30, 1952 (17 F. R. 893) as follows:

1. The geographical descriptions of critical defense housing areas numbered 9 and 123 and designated respectively as Lone Star, Texas, and Knob Noster, Missouri, are amended to read as follows:

9. Lone Star, Texas, Area. (All of Camp and Morris Counties; precincts 1, 2, and 8, including Hughes Springs, Linden, and Avinger, in Cass County; precincts 1, 2, 3, and 6, including Jefferson City, in Marion County; precincts 1, 4, 5, 6, and 7, including Mt. Pleasant, in Titus County; and precincts 2, 6, and 8, including Ore City, in Upshur County.)

123. Knob Noster (Sedalia Air Force Base), Missouri, Area. (Johnson County; Pettis County; and the Township of Windsor and the City of Windsor in Henry County.)

2. The Appendix to CR 3 is further amended by adding the following additional critical defense housing areas to the areas already designated under CR 3:

Area, including geographical description and date designated

141. Trona, California, Area. (Trona Township, including the towns of Trona and West End, San Bernardino County). February 14, 1952.

142. Smyrna, Tennessee, Area. (Districts 1, 2, 3, 4, 5, 6, 7, 9, 13, 15, 16, 17, 19, 21, 22, all in Rutherford County, including the Cities of Murfreesboro and Smyrna). February 14, 1952.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

B. T. FITZPATRICK,
Acting Housing and Home Finance Administrator.

[F. R. Doc. 52-1827; Filed, Feb. 13, 1952; 8:53 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

PART 1—PRACTITIONERS

COMMITTEE ON PRACTITIONERS

FEBRUARY 8, 1952.

Section 1.3 is amended to read as follows:

§ 1.3 *Committee on Practitioners.* A Committee on Practitioners composed of three members is hereby created. The Solicitor of the Department, ex officio, shall be a member of and chairman of the Committee. The other two members, ex officio, shall be the Assistant Solicitor for Public Lands and the Chief Counsel of the Bureau of Land Management. The Committee shall, by a majority of those present, act at such times as it may designate or at the call of the chairman, a quorum to consist of two members. Hearings may be held before such persons and at such places and times as the Committee may designate. In administering its functions, the Committee may call upon any agency of the Department for assistance. The Committee may delegate to one of its members or to any employee of the Department authority to pass upon applications for admission and routine matters generally. Except as otherwise specifically provided, the Committee shall administer all functions under this part.

(Sec. 5, 23 Stat. 101; 5 U. S. C. 493)

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 52-1797; Filed, Feb. 13, 1952; 8:46 a. m.]

Chapter I—Bureau of Land Management, Department of the Interior

Subchapter S—Rights-of-Way

[Circular No. 1813]

PART 244—RIGHTS-OF-WAY FOR CANALS, DITCHES, RESERVOIRS, WATER PIPE LINES, TELEPHONE AND TELEGRAPH LINES, TRAMROADS, ROADS AND HIGHWAYS, OIL AND GAS PIPE LINES, ETC.

RIGHTS-OF-WAY OVER PUBLIC LANDS FOR TRAMROADS, TRAMWAYS, LOGGING, AND OTHER ROADS

1. Sections 244.39 and 244.40 are amended to read as follows:

§ 244.39 *Statutory authority.* The act of January 21, 1895 (28 Stat. 635; 43 U. S. C. 956), authorizes the Secretary under such general regulations as may be fixed by him, to permit the use of rights-of-way over the public lands of the United States, for tramroads to the extent of 50 feet on each side of the center line of the tramroad, by any citizen or association of citizens of the United States, engaged in the business of mining, quarrying, or of cutting timber and manufacturing lumber. The act does not authorize the use of rights-of-way within the limits of any park or military reservation. The act is made applicable to national forests and reservoir sites by the act of March 3, 1899 (30 Stat. 1233; 16 U. S. C. 525; 43 U. S. C. 665, 958). Before a right-of-way is issued under this section, the officer authorized to issue it must obtain the clearance of the regional administrator. Where the regional administrator determines it to be in the public interest, he will require applicants under this section to execute the same type of right-of-way and road use agreements for the connecting road system as may be required under 43 CFR, Part 115 with appropriate modifications to meet local conditions: *Provided*, That where the land over which the right-of-way is requested is under the jurisdiction of an agency other than the Bureau of Land Management, the regional administrator shall make such requirement only with the concurrence of the authorized officer of such agency. The arbitration procedures involved in the stipulations shall be in accordance with State law, if any is applicable. In the absence of applicable State law, controversies involving arbitration shall be arbitrated in accordance with the rules then obtaining of the American Arbitration Association.

§ 244.40 *Tramroads defined.* Tramroads are considered as including tramways, railroads, and motor-truck roads to be used in connection with mining, quarrying, logging, and the manufacturing of lumber.

2. The cross reference after § 244.41 is amended to read as follows:

CROSS REFERENCE: Applications for logging road permits over revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands and public lands administered by the Bureau of Land Management which are in and west of Range 8 East, Willamette Meridian, Oregon, must be made under 43 CFR, Part 115.

(28 Stat. 635; 43 U. S. C. 956)

OSCAR L. CHAPMAN,
Secretary of the Interior.

FEBRUARY 8, 1952.

[F. R. Doc. 52-1794; Filed, Feb. 13, 1952; 8:46 a. m.]

Appendix—Public Land Orders

[Public Land Order 804]

CALIFORNIA

TRANSFER OF LANDS FROM THE SHASTA NATIONAL FOREST TO THE MODOC NATIONAL FOREST, FROM THE MODOC NATIONAL FOREST TO THE SHASTA NATIONAL FOREST AND FROM THE SHASTA NATIONAL FOREST TO THE KLAMATH NATIONAL FOREST

By virtue of the authority vested in the President by the act of June 4, 1897,

30 Stat. 34, 36 (16 U. S. C. 473), and pursuant to Executive Order No. 9337 of April 24, 1943, and upon the recommendation of the Secretary of Agriculture, it is ordered as follows:

The following-described lands within the exterior boundaries of the Shasta National Forest are hereby transferred to the Modoc National Forest, effective July 1, 1952:

MOUNT DIABLO MERIDIAN

T. 42 N., R. 3 E.,
Secs. 1 and 2;
Sec. 3, NE¼;
Sec. 11, N½NE¼ and SE¼NE¼;
Sec. 12, N½, N½SW¼, SE¼SW¼, and SE¼;
Sec. 13, N½NE¼.
T. 43 N., R. 3 E.,
Secs. 1 to 3, inclusive;
Secs. 4, 8, and 9, those parts lying east of the Pitt River-Medicine Lake Divide;
Secs. 10 to 14, inclusive;
Secs. 15, 16, 17, and 23, those parts lying east of the Pitt River-Medicine Lake Divide;
Secs. 24 and 25;
Secs. 26 and 34, those parts lying east of the Pitt River-Medicine Lake Divide;
Secs. 35 and 36.
T. 44 N., R. 3 E.,
Secs. 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36.
T. 40 N., R. 4 E.,
Sec. 2, S½SW¼;
Sec. 4, lots 1, 2, S½NE¼, and SE¼;
Sec. 9, E½;
Sec. 11, NW¼;
Sec. 16, E½;
Sec. 21, E½;
Sec. 23, SW¼SE¼;
Sec. 25, NE¼, N½NW¼, and N½SE¼;
Sec. 26, N½N½;
Sec. 27, N½N½;
Sec. 28, N½NE¼.
T. 41 N., R. 4 E.,
Secs. 1 to 4, inclusive, secs. 9 to 16, inclusive, and secs. 21 to 28, inclusive;
Sec. 33.
T. 42 N., R. 4 E.,
Secs. 1 to 17, inclusive;
Sec. 18, N½, N½SW¼, and SE¼;
Sec. 19, NE¼NE¼;
Sec. 20, NE¼, N½NW¼, SE¼NW¼, N½SE¼, and SE¼SE¼;
Secs. 21 to 28, inclusive;
Secs. 33 to 36, inclusive.
T. 43 N., R. 4 E.,
Sec. 3, those parts lying west of the present Modoc-Shasta Forest boundary;
Secs. 4 to 9, inclusive;
Secs. 10 and 15, those parts lying west of the present Modoc-Shasta Forest boundary;
Secs. 16 to 21, inclusive;
Secs. 22, 26, and 27, those parts lying west of the present Modoc-Shasta Forest boundary;
Secs. 28 to 34, inclusive;
Sec. 35, that part lying west of the present Modoc-Shasta Forest boundary.
T. 44 N., R. 4 E.,
Sec. 3, those parts lying west of the present Modoc-Shasta Forest boundary;
Secs. 4 to 9, inclusive;
Secs. 10 and 15, those parts lying west of the present Modoc-Shasta Forest boundary;
Secs. 16 to 21, inclusive;
Secs. 22 and 27, those parts lying west of the present Modoc-Shasta Forest boundary;
Secs. 28 to 32, inclusive;
Secs. 33 and 34, those parts lying west of the present Modoc-Shasta Forest boundary.

The areas described, including both public and non-public lands, aggregate approximately 82,265 acres.

The following-described lands within the exterior boundaries of the Modoc National Forest are hereby transferred to the Shasta National Forest, effective July 1, 1952:

T. 38 N., R. 5 E.,
Secs. 1, 2, 3, 10, 11, 12, 13, 14, and 15;
Sec. 22, E½;
Secs. 23, 24;
Sec. 26, N½.
T. 39 N., R. 5 E.,
Sec. 3, S½;
Secs. 4, 5, and 6;
Sec. 9, N½ and SE¼;
Sec. 10;
Sec. 11, S½;
Sec. 13, SW¼;
Sec. 14;
Sec. 15, NE¼;
Sec. 23;
Sec. 24, NW¼;
Sec. 25, W½W½;
Secs. 26, 35, and 36.
T. 40 N., R. 5 E.,
Sec. 30, SW¼SW¼;
Sec. 31, NW¼NE¼, S½NE¼, NW¼, and S½;
Sec. 32, SW¼, and S½SE¼.

The areas described, including both public and non-public lands, aggregate approximately 16,646 acres.

The following-described lands within the exterior boundaries of the Shasta National Forest are hereby transferred to the Klamath National Forest, effective July 1, 1952:

T. 40 N., R. 6 W.,
Sec. 5, those parts lying west of the Siskiyou-Trinity County boundary;
Secs. 6 and 7;
Secs. 8, 17, and 18, those parts lying west of the Siskiyou-Trinity County boundary.
T. 41 N., R. 6 W.,
Secs. 6, 7, 8, and 17, those parts lying west of the Scott River-Shasta River Divide;
Sec. 18;
Secs. 19 and 20, those parts lying west of the Scott River-Shasta River Divide;
Secs. 29, 30 and 31, those parts lying west of the Scott River-Shasta River Divide, and the Siskiyou-Trinity County boundary.
T. 39 N., R. 7 W.,
Secs. 6 and 7, those parts lying west of the Siskiyou-Trinity County boundary.
T. 40 N., R. 7 W.,
Secs. 1 to 5, inclusive;
Secs. 8 to 12, inclusive;
Secs. 13 and 14, those parts lying north of the Siskiyou-Trinity County boundary;
Secs. 15 and 22, inclusive;
Secs. 23, 26 and 27, those parts lying west of the Siskiyou-Trinity County boundary;
Secs. 28 to 31, inclusive;
Secs. 32, 33, and 34, those parts lying north of the Siskiyou-Trinity County boundary.
T. 41 N., R. 7 W.,
Secs. 1, 2, 11 to 14, inclusive, secs. 22 to 27, inclusive, and secs. 32 to 36, inclusive.
T. 39 N., R. 8 W.,
Secs. 1 to 11, inclusive;
Secs. 12, 13, 14 and 15, those parts lying north of the Siskiyou-Trinity County boundary;
Secs. 16 to 21, inclusive;
Secs. 22, 27, and 28, those parts lying west of the Siskiyou-Trinity County boundary;
Secs. 29, 30 and 32, those parts lying north of the Siskiyou-Trinity County boundary.
T. 40 N., R. 8 W.,
Sec. 4;
Sec. 10, N½;
Secs. 12, 13 and 14;
Secs. 19 and 20;
Sec. 22, SW¼SW¼;
Secs. 23 to 36, inclusive.
T. 39 N., R. 9 W.,
Secs. 1 to 6, inclusive;
Sec. 7, those parts lying east of the present Klamath-Shasta forest boundary;
Secs. 8 to 16, inclusive;
Secs. 17, 18, 20 and 21, those parts lying east of the present Klamath-Shasta forest boundary;
Secs. 22, 23 and 24;
Secs. 25, 26 and 27, those parts lying north of the Siskiyou-Trinity County boundary;
Sec. 28, those parts lying east of the present Klamath-Shasta forest boundary;
Sec. 33, those parts lying east of the present Klamath-Shasta forest boundary, and north of the Siskiyou-Trinity County boundary;
Secs. 34, 35 and 36, those parts lying north of the Siskiyou-Trinity County boundary.
T. 40 N., R. 9 W.,
Secs. 2 and 3;
Sec. 4, lots 2, 3, 4, SE¼NW¼, SE¼SW¼, NE¼SE¼, S½SE¼;
Secs. 6 to 11, inclusive, and secs. 14 to 29, inclusive;
Secs. 30 and 31, those parts lying east of the present Klamath-Shasta forest boundary;
Secs. 32 to 36, inclusive.
T. 41 N., R. 9 W.,
Sec. 26, S½;
Sec. 28, W½E½ and W½;
Sec. 32, SE¼SW¼;
Sec. 34, W½SW¼.
T. 39 N., R. 10 W.,
Secs. 1 and 12, those parts lying east of the present Klamath-Shasta forest boundary.
T. 40 N., R. 10 W.,
Secs. 1, 11, 12, 13, 24, 25 and 36, those parts lying east of the present Klamath-Shasta forest boundary.

The areas described, including both public and non-public lands, aggregate approximately 90,929 acres.

The exterior boundaries of the forests involved are hereby adjusted in accordance with the transfers made by this order, and any transferred land now having a national-forest status shall become a part of the forest to which it is transferred.

This order shall not be construed as giving a national-forest status to any lands which do not now have such status, or as changing the status of any lands which now have a national-forest status.

OSCAR L. CHAPMAN,
Secretary of the Interior.

FEBRUARY 8, 1952.

[F. R. Doc. 52-1795; Filed, Feb. 13, 1952; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Animal Industry

[9 CFR Part 27]

IMPORTED MEAT, MEAT FOOD PRODUCT, AND MEAT BYPRODUCT; FEDERAL REPUBLIC OF GERMANY (WESTERN GERMAN STATES)

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given in accordance with section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that the Secretary of Agriculture is considering amending § 27.2 of the Federal Meat Inspection Regulations (9 CFR 27.2, as amended) issued under section 306 of the Tariff Act of 1930 (19 U. S. C. 1306) by adding the Federal Republic of Germany (Western German States) to the list of countries specified therein from which certain product (meat, meat food product, and meat byproduct) may be imported into the United States as provided in said regulations.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendment may do so by filing them with the Chief of the Meat Inspection Division, Bureau of Animal Industry, Agricultural Research Administration, U. S. Department of Agriculture, Washington 25, D. C., within fifteen days after the date of publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 8th day of February 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-1813; Filed, Feb. 13, 1952; 8:48 a. m.]

Production and Marketing Administration

[7 CFR Part 924]

[Docket No. AO-225-A1]

HANDLING OF MILK IN THE DETROIT, MICH., MARKETING AREA

DECISION WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND A PROPOSED ORDER AMENDING THE ORDER

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Detroit, Michigan, on January 18, 1952, pursuant to notice thereof which was issued on January 12, 1952 (17 F. R. 404).

The material issue of record related to a change in one of the two alternative methods of determining the price for Class II milk.

Findings and conclusions. 1. The make allowance in the butter-powder formula alternative for determination of the Class II price should be increased to reflect a 5 cent allowance per pound of butterfat, and this should be accomplished as an emergency action in order to effectuate the change at the earliest possible date.

Testimony showed that the butter-powder formula included in the original order is substantially higher than the value of Class II milk for manufacture into butter and nonfat dry milk solids. The pricing formula computes the value of one hundred pounds of milk containing 3.5 pounds of butterfat by multiplying the price of 92-score butter at Chicago by an overrun factor of 1.2 and multiplying the result by the 3.5 pounds of fat. To this result is added a skim milk value obtained by averaging f. o. b. plant prices per pound of spray and roller nonfat dry milk solids, subtracting a manufacturing and marketing allowance of 5.5 cents per pound, and multiplying by the yield of 8.2 pounds of powder which is expected from the 96.5 pounds of skim milk. It will be noted that no manufacturing and marketing allowance is contained in this formula for converting the butterfat into butter and delivering it for sale at a central market.

The so-called manufacturing and marketing allowance contained in the Class II price formula must serve a multiplicity of purposes. On the one hand it must reflect certain of the costs of manufacturing Class II milk into manufactured dairy products and marketing such products. On the other hand, it must reflect the fact that Class II milk may not be made into the actual products used for pricing purposes in the formula. It is thus inappropriate to rely solely upon costs of manufacturing Class II milk as derived by accounting methods in arriving at the so-called manufacturing and marketing allowances. Nevertheless, such information as is available with regard to manufacturing costs for Class II milk is helpful in appraising the allowances in the Class II price formula.

The recent advance in butter prices has carried the butter-powder component of the Class II price well above the alternative basis, which consists of the prices paid for milk at 5 nearby manufacturing plants. The formula was 1.4 cents over the local plant price in September 1951, 9.0 cents in October, 12.4 cents in November, and 22.1 cents in December. Since the butter-powder formula has become the effective Class II price, it is highly important that it reflect a price more nearly in line with manufacturing values.

Under the currently effective butter-powder formula the total handling allowance is that which is contained in the skim milk section, and is 45.1 cents per hundredweight of milk processed. This amount is too small to result in a Class II milk price in line with manufacturing milk values. A Departmental study of specialized butter-powder plants in Wisconsin found that costs averaged 56 cents per hundredweight in 1948. There was testimony that costs have increased substantially since 1948. The proposed revision of the Class II butter-powder formula in Detroit would provide a 17.5 cent make allowance on butterfat and would result in a total allowance of 62.6 cents per hundredweight of milk.

There was considerable testimony that the costs of strictly butter-powder operations in Michigan in recent periods exceed 5 cents per pound of fat, if the 5.5 cents specified in the order is allocated as make allowance on powder. However, the proponents pointed out that substantial quantities of milk are utilized in other Class II products at all seasons of the year, thereby making it unnecessary to lower Class II prices to levels at which the least remunerative products can be manufactured. The proposed 5 cent make allowance per pound of butterfat is in line with allowances for similar purposes in other orders in adjacent markets and appears unlikely to result in prices in excess of the local plant level except in periods when butter-powder values are generally strong relative to prices paid by condenseries. It is more convenient and realistic to express the manufacturing and marketing allowance as an amount per hundredweight of milk than in terms of the butterfat and nonfat solids components. Class II price levels are important to the stability of the producers' market. At levels which over a period of time make the handling of reserve supplies of milk unprofitable relative to the opportunities for procurement of reserve supplies from other sources, proprietary handlers will attempt to divest themselves of Class II milk. Under these conditions, producers may be left without a market or cooperative associations may be forced to convert disproportionate volumes of surplus milk into manufactured products. Evidence was presented that the stresses of high Class II prices are already appearing and that the ability of regular producers, whose milk is essential in the short season, to find a market for their milk is in jeopardy. The problem of marketing the milk in Class II will become especially critical during the flush season when the usual increase in production further increases the quantities of Class II milk which must be converted into manufactured dairy products.

2. The due and timely execution of the function of the Secretary under the act imperatively and unavoidably requires the omission of a recommended decision by the Assistant Administrator, Production and Marketing Administration, and the opportunity for exception thereto, on the above issue.

The conditions complained of are such that it is urgent that remedial action be taken as soon as possible. Delay beyond the minimum time required to make the attached order effective would defeat the purpose of such amendment. Accordingly, the time necessarily involved in the preparation, filing, and publication of a recommended decision, and exceptions thereto, would make such relief ineffective. The propriety of omitting

the recommended decision and opportunity of filing exceptions thereto with respect to all proposals considered was indicated by proponents on the record.

Rulings on proposed findings and conclusions. Briefs filed by interested parties contained suggested findings of fact, conclusions, and arguments with respect to the proposals discussed at the hearing. Every point covered in the briefs was carefully considered along with evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that the suggested findings and conclusions contained in the briefs are inconsistent with the findings and conclusions contained herein, the requests to make such findings or to reach such conclusions are denied on the basis of the facts found and stated in connection with the findings and conclusions in this decision.

General findings. (a) The proposed marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which effect market supply of and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and in the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity, specified in a marketing agreement upon which a hearing has been held.

Determination of representative period. The month of December 1951 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an order amending the order regulating the handling of milk in the Detroit, Michigan, marketing area in the manner set forth in the attached amending order is approved or favored by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such order.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled "Marketing Agreement Regulating the Handling of Milk in the Detroit, Michigan, Marketing Area" and "Order Amending the Order Regulating the Handling of Milk in the Detroit, Michigan, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 11th day of February 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

Order[1] Amending the Order Regulating the Handling of Milk in the Detroit Marketing Area

§ 924.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Detroit, Michigan marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the order, as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity, specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Detroit, Michigan marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as hereby amended, and the aforesaid order is hereby amended as follows:

1. Delete § 924.52 (a) and substitute therefor the following:

(a) The price per hundredweight computed as follows:

(1) Multiply the average price per pound of butter as described in paragraph (b) (1) of § 924.50 by 1.2 and then by 3.5.

(2) Multiply by 8.2 the simple average of the weighted averages of carlot prices per pound for nonfat dry milk solids, spray and roller process, respectively, for human consumption, f. o. b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the United States Department of Agriculture.

(3) From the sum of the amounts determined under subparagraphs (1) and (2) of this paragraph deduct 62.6 cents.

[F. R. Doc. 52-1858; Filed, Feb. 13, 1952; 8:52 a. m.]

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[463.463]

BAR LE DUC

TARIFF CLASSIFICATION

FEBRUARY 11, 1952.

The Bureau by its letter to the collector of customs, New York, New York, dated January 14, 1952, ruled that Bar le Duc, a product consisting of seeded currants immersed in a very light sirup solution and processed by cooking to a light degree of soluble solids, is classifiable as berries, prepared or preserved, not specially provided for, at the rate of 14 percent ad valorem under paragraph 736, Tariff Act of 1930, as modified, rather than as a jelly or jam at the rate of 10 percent ad valorem under paragraph 751 of the tariff act, as modified.

This decision will be effective as to such or similar merchandise entered for consumption or withdrawn from warehouse for consumption on or after 30 days after the date of publication of the abstract of this decision in a forthcom-

ing issue of the weekly Treasury Decisions.

[SEAL] FRANK DOW,
Commissioner of Customs.

[F. R. Doc. 52-1853; Filed, Feb. 13, 1952; 8:51 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

SHORESPACE RESTORATION NO. 473

FEBRUARY 7, 1952.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372), and pursuant to § 2.22 (a) (3), of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior on August 20, 1951 (16 F. R. 8625), it is hereby determined that the lands described below are not necessary for harborage uses and purposes and that no shorespace reserve in such lands shall now or hereafter be created under the act of May 14, 1898 (30 Stat. 409), as amended by the act of March 3, 1903 (32 Stat. 1028, 48 U. S. C. 371) by the initiation of claims under the public land laws:

All unsurveyed lands abutting or lying within 80 rods of the east bank of the Delta River, which when surveyed will lie within the following described sections:

FAIRBANKS MERIDIAN

T. 9 S., R. 10 E.
Secs. 17, 20, 21, 27, 28, 33, 34.

HAROLD T. JORGENSON,
Chief, Division of Land Planning.

[F. R. Doc. 52-1796; Filed, Feb. 13, 1952; 8:46 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear and Other Odd Outerwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended December 31, 1951; 16 F. R. 12043).

Angelica Uniform Co., Marquand, Mo., effective 2-1-52 to 6-11-52; 20 learners for expansion purposes (women's washable service apparel (supplemental certificate).

Bundle O'Joy Baby Wear Co., 43 South Pennsylvania Avenue, Wilkes-Barre, Pa., effective 1-31-52 to 1-30-53; 10 percent of the productive factory force or 10 learners, whichever is greater (underwear, nightwear, negligees, infants' flannnelette, crepe gowns, kimonos).

Civanne Undergarment Inc., 394 New Haven Avenue, Milford, Conn., effective 2-5-52 to 2-4-53; five learners (ladies' and children's undergarments, etc.).

Goldstone Bros., 26 Sebastopol Avenue, Santa Rosa, Calif., effective 2-4-52 to 2-3-53; five learners (men's sport shirts and children's denim jeans).

Hoosick Falls Undergarment Corp., Hoosick Falls, N. Y., effective 1-30-52 to 1-29-53; 10 learners (ladies' underwear and slips).

Jersey Shore Manufacturing Co., 144-48 South Main Street, Jersey Shore, Pa., effective 2-1-52 to 1-31-53; 10 percent of the productive factory force (sport shirts).

Marine Garment Co., Sandoval, Ill., effective 1-31-52 to 1-30-53; 10 learners (ladies' slips).

Martin Shirt Co., 27 East Poplar Street, Shenandoah, Pa., effective 2-1-52 to 1-31-53; 10 percent of the productive factory force (boys' shirts).

George Mills Co., 12940 South Western Avenue, Blue Island, Ill., effective 1-31-52 to 1-30-53; 10 percent of the productive factory force (dresses).

Mode O'Day Corp., Plant No. 9, 419 East South Street, Hastings, Nebr., effective 2-2-52 to 8-1-52; 15 learners for expansion purposes (ladies' cotton rayon blouses).

Renovo Shirt Co., Inc., Renovo, Pa., effective 2-4-52 to 2-3-53; 10 percent of the productive factory force (dress and sport shirts).

Albert Rosenblatt & Sons, Inc., Poultney, Vt., effective 1-29-52 to 1-28-53; 10 percent of the productive factory force (dresses).

Albert Rosenblatt & Sons, Inc., Cleveland Avenue, Rutland, Vt., effective 1-29-52 to 1-28-53; 10 percent of the productive factory force (dresses, robes, housecoats).

I. Schneierson & Sons, Inc., Siler City, N. C., effective 1-31-52 to 7-30-52; 20 learners for expansion purposes (ladies' woven underwear).

Seneca Sportswear Manufacturing Co., Leggett & Clark Streets, Scranton, Pa., effective 2-1-52 to 1-31-53; 10 learners (sportswear).

Tuf-Nut Garment Mfg. Co., 423 East Third Street, Little Rock, Ark., effective 1-31-52 to 1-30-53; 10 percent of the productive factory force (work clothing).

United Pants Co., Inc., Nuangola Branch, R. D. No. 2, Mountain Top, Pa., effective 1-31-52 to 1-30-53; five learners (pants and jackets).

Wayne Sportswear Co., 235 North North Street, Waynesboro, Pa., effective 1-29-52 to 1-28-53; 10 percent of the productive factory force or 10 learners, whichever is greater (men's trousers).

Wilson Bros., 1008 West Sample Street, South Bend 21, Ind., effective 2-1-52 to 1-31-53; 10 percent of the productive factory force engaged in the manufacture of shirts and pajamas only (dress shirts and pajamas).

Womble-Campbell Manufacturing Co., 117 West Second, Hereford, Tex., effective 2-1-52 to 1-31-53; 5 learners (lingerie—women's and children's cotton and rayon).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised November 19, 1951; 16 F. R. 10733).

Damascus Hosiery Mills, Inc., Damascus, Va., effective 1-30-52 to 9-29-52; five learners for expansion purposes (supplemental certificate).

Damascus Hosiery Mills, Inc., Damascus, Va., effective 1-30-52 to 1-29-53; five learners.

Lawler Hosiery Mills, Inc., 53 Bradley Street, Carrollton, Ga., effective 2-4-52 to 2-3-53; 5 percent of the productive factory force.

Richard Paul, Inc., 832 North Walnut Street, Wilmington, Del., effective 1-31-52 to 1-30-53; five learners.

Ragan Knitting Co., 7 Cox Avenue, Thomasville, N. C., effective 1-31-52 to 1-30-53; 5 percent of the productive factory force.

Ridge Textile Co., Athens, Tenn., effective 2-4-52 to 2-3-53; 5 percent of the productive factory force.

The Robbins Knitting Co., Spruce Pine, N. C., effective 1-30-52 to 1-29-53; 5 percent of the productive factory force.

United Hosiery Mills Corp., 2001 Wheeler Avenue, Chattanooga, Tenn., effective 1-31-52 to 1-30-53; 5 percent of the productive factory force.

Victor Silk Hosiery Co., Inc., Bucks County, New Britain, Pa., effective 2-4-52 to 2-3-53; five learners.

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950; 15 F. R. 6888).

The Ideal Glove Co., Inc., Pennville, Ind., effective 2-1-52 to 1-31-53; three learners (cotton work gloves, leather palm).

Joseph A. Milstein Co., Inc., Keeseville, N. Y., effective 1-30-52 to 7-29-52; 40 learners for expansion purposes (knit wool gloves and mittens).

Wells Lamont Corp., Mount Vernon, Tex., effective 1-29-52 to 1-28-53; 10 learners (work gloves).

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952; 16 F. R. 12866).

Butler Manufacturing Co., Butler, Ala., effective 2-4-52 to 2-3-53; five learners (men's caps and shorts).

Ellwood Knitting Mills, 911 Lawrence Ave., Ellwood City, Pa., effective 2-1-52 to 7-31-52; nine learners for expansion purposes (knitted outerwear).

Patridge Textiles, Inc., 283 West Pine Street, Mount Airy, N. C., effective 2-4-52 to 2-3-53; five learners (children's woven underwear).

Seamprufe, Inc., McAlester, Okla., effective 1-28-52 to 7-27-52; 50 learners for expansion purposes (slips and nightgowns).

Wilson Bros., 1008 West Sample Street, South Bend, Ind., effective 2-1-52 to 1-31-53; 5 percent of the productive factory force engaged in the manufacture of knitted underwear and sportswear, and woven underwear only (knitted underwear and outerwear).

Shoe Industry Learner Regulations (29 CFR 522.250 to 522.260; 15 F. R. 6546).

Passaquoddy Shoe Corp., Quoddy Village, Eastport, Maine, effective 2-4-52 to 8-3-52; 25 learners for expansion purposes.

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).

Ames Safety Envelope Co., 21 Vine Street, Somerville, Mass., effective 2-2-52 to 8-1-52; five learners; Hand and machine operations, in making envelopes; 320 hours at 65 cents per hour (specialty and expanding envelope manufacturing).

Manhattan Shirt Co., Paterson, N. J., effective 1-31-52 to 1-30-53; 5 percent of the productive factory force engaged in the manufacture of neckwear and handkerchiefs only; machine operating (except cutting), pressing, handsewing; 320 hours each at 65 cents per hour (neckwear and handkerchiefs).

Wilson Bros., 1008 West Sample Street, South Bend, Ind., effective 2-1-52 to 1-31-53; 5 percent of the productive factory force engaged in the manufacture of neckwear only; machine operating (except cutting), pressing, handsewing; 320 hours each at 65 cents per hour (neckwear).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 5th day of February 1952.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 52-1744; Filed, Feb. 13, 1952; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26785]

SORGHUM GRAINS BETWEEN POINTS IN WESTERN TRUNK LINE TERRITORY

APPLICATION FOR RELIEF

FEBRUARY 11, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to the schedules listed below.

Commodities involved: Sorghum grains, viz: hegari (higera), kaffir corn, milo maize, carloads.

Between: Points in western trunk line territory.

Grounds for relief: Competition with motor carriers.

Schedules filed containing proposed rates: CB&Q RR. tariff I. C. C. No. 20259, Supp. 28; D&RGW RR. tariff I. C. C. No. 918, Supp. 9; UP RR. tariff I. C. C. No. 5166, Supp. 31; UP RR. tariff I. C. C. No. 5219, Supp. 16.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-1818; Filed, Feb. 13, 1952; 8:49 a. m.]

[4th Sec. Application 26786]

CRYOLITE FROM NATRONA, PA., TO GREGORY, TEX.

APPLICATION FOR RELIEF

FEBRUARY 11, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3912.

Commodities involved: Cryolite, natural or synthetic, carloads.

From: Natrona, Pa.

To: Gregory, Tex.

Grounds for relief: Competition with water carriers.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3912, Supp. 100.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-1819; Filed, Feb. 13, 1952; 8:49 a. m.]

[4th Sec. Application 26787]

ASPHALT FROM THE SOUTHWEST AND MID-CONTINENT TO POINTS IN ILLINOIS, INDIANA, AND WISCONSIN

APPLICATION FOR RELIEF

FEBRUARY 11, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3825.

Commodities involved: Asphalt (asphaltum), natural, by-product, or petroleum, tank-car loads.

From: Southwestern and mid-continent origins.

To: Points in Illinois, Indiana, and Wisconsin.

Grounds for relief: Competition with rail carriers, circuitous routes, and market competition.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3825, Supp. 122.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-1820; Filed, Feb. 13, 1952; 8:49 a. m.]

[4th Sec. Application 26788]

SEED FROM POINTS IN COLORADO TO CLARINDA AND SHENANDOAH, IOWA

APPLICATION FOR RELIEF

FEBRUARY 11, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A-3881.

Commodities involved: Alfalfa seed, red clover seed, and alsike clover seed, carloads.

From: Del Norte, Durango, Grand Jct., Montrose, and Somerset, Colo.

To: Clarinda and Shenandoah, Iowa.

Grounds for relief: Competition with rail carriers and to maintain grouping.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without fur-

ther or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-1821; Filed, Feb. 13, 1952; 8:49 a. m.]

[4th Sec. Application 26789]

PETROLEUM FROM CHEYENNE AND SINCLAIR, WYO., TO STATIONS IN NORTH DAKOTA

APPLICATION FOR RELIEF

FEBRUARY 11, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Union Pacific Railroad Company, for itself and on behalf of other carriers named in the application.

Commodities involved: Petroleum and petroleum products, carloads.

From: Cheyenne and Sinclair, Wyo.

To: Stations in North Dakota on the Northern Pacific Railway.

Grounds for relief: Circuitous route.

Schedules filed containing proposed rates: UP RR. tariff I. C. C. No. 4933, Supp. 167.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-1822; Filed, Feb. 13, 1952; 8:49 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES AT FIXED PRICES

FEBRUARY DOMESTIC AND EXPORT PRICE LIST

Pursuant to the Pricing Policy of Commodity Credit Corporation issued March 22, 1950 (15 F. R. 1583), and subject to the conditions stated therein, the following commodities are available for sale in the quantities and at the prices stated:

FEBRUARY DOMESTIC PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
Dried whole eggs, 1950 pack (packed in barrels and drums) in carload lots only, 1,000,000 pounds.	$1.03 per pound "in store" at location of stock in Illinois, Indiana, Iowa, Michigan, Ohio, Oklahoma, Kansas, Wisconsin, Missouri, Nebraska and Minnesota ("in store" means in storage at warehouse, but with any prepaid storage and out-handling charges for the benefit of the buyer).
Nonfat dry milk solids 1951 production, in carload lots only, 35,000,000 pounds.	Spray process, 15¾ cents per pound "in store" at location of stock in any State ("in store" means at the processor's plant or in storage at warehouse, but with any prepaid storage and out-handling charges for the benefit of the buyer.) (See note on Ceiling Price Certification on the last page of this price list.)
Linseed oil, raw, 212,000,000 pounds.	Market price on date of sale. (See note on Ceiling price Certification on the last page of this price list.)
Dry edible beans	On all beans, for areas other than those shown below, adjust prices upward or downward by an amount equal to the price support program differential between areas. Where no price support differential occurs, the price listed will apply. For other grades of all beans, adjust by market differentials. Prices listed below, on all beans, are at point of production. Amount of paid-in freight to be added, as applicable.
Pinto, bagged, 1,140,000 hundredweight.	No. 1 grade, 1948 [2] and 1949 crops: $7.93 per 100 pounds, basis f. o. b. Denver rate area; $7.53 per 100 pounds, basis f. o. b. Idaho area.
Pea, bagged, 335,000 hundredweight.	No. 1 grade 1948 [2], 1949,[1] and 1950 crops: $8.61 per 100 pounds, basis f. o. b. Michigan area.
Red kidney, bagged, 375,000 hundredweight.	No. 1 grade 1948 [2] and 1949 [1] crops: $10.05 per 100 pounds, basis f. o. b. New York area.
Great Northern, bagged, 820,000 hundredweight.	No. 1 grade 1948 [2], 1949 and 1950 crops: $7.94 per 100 pounds, basis f. o. b. Twin Falls, Idaho area; $8.31 per 100 pounds, basis f. o. b. Morrill, Nebr., area.
Baby lima, bagged, 490,000 hundredweight.	No. 1 grade 1949 [1] crop: $7.12 per 100 pounds, basis f. o. b. California area.
Cranberry beans, bagged, 46,000 hundredweight.	No. 1 grade 1949 crop: $9.36 per 100 pounds, basis f. o. b. Michigan area.
Austrian winter pea seed, bagged, 2,210,000 hundredweight.[1]	$4.50 per 100 pounds, basis f. o. b. point of production plus paid-in freight, as applicable.
Blue Lupine seed, bagged, 1,132,000 hundredweight.	$5 per 100 pounds, basis f. o. b. point of production, plus paid-in freight, as applicable.
Common and Willamette Vetch seed, bagged, 130,300 hundredweight.	$7 per 100 pounds, basis f. o. b. point of production; plus paid-in freight, as applicable.
Red Clover seed (uncertified), bagged, 27,500 hundredweight.	$58.17 per 100 pounds, basis f. o. b. point of production; plus paid-in freight, as applicable.
Wheat, bulk, 5,000,000 bushels.	Basis in store, the market price but in no event less than the applicable 1951 loan rate for the class, grade, quality and location, plus: (1) 30 cents per bushel if received by truck or, (2) 25 cents per bushel if received by rail or barge. Examples of minimum prices, per bushel: Kansas City, No. 1 HW, ex rail or barge, $2.70; Minneapolis, No. 1 DNS, ex rail or barge, $2.72; Chicago, No. 1 RW, ex rail or barge, $2.75. NOTE: No wheat will be for sale in the Portland, Oreg., area until further notice.
Oats, bulk, 6,000,000 bushels.	At points of production, basis in store, the market price but not less than the applicable 1951 county loan rate plus: (1) 14 cents per bushel, if received by truck; or (2) 13 cents per bushel, if received by rail or barge. At other points, the foregoing plus average paid-in freight. Examples of minimum prices per bushel: Chicago, No. 3 or better, ex rail or barge, 97 cents; Minneapolis, No. 3 or better, ex rail or barge, 93 cents.
Barley, bulk, 12,300,000 bushels.	Basis in store, the market price but in no event less than the applicable 1951 loan rate for the class, grade, quality and location, plus: (1) 20 cents per bushel, if received by truck; or (2) 17 cents per bushel, if received by rail or barge. Examples of minimum prices per bushel: Minneapolis, No. 1 barley, ex rail or barge, $1.49; San Francisco, No. 1 Western barley, ex rail or barge $1.54.
Corn, bulk, 50,000,000 bushels.	At points of production, basis in store, the market price but not less than the applicable 1951 county loan rate for No. 3 yellow plus: (1) 19 cents per bushel, if received by truck; or (2) 17 cents per bushel, if received by rail or barge. At other locations, the foregoing plus average paid-in freight. Examples of minimum prices per bushel: Chicago, No. 3 yellow, $1.92; St. Louis, No. 3 yellow, $1.94; Minneapolis, No. 3 yellow, $1.83; Omaha, No. 3 yellow, $1.85; Kansas City, No. 3 yellow, $1.90. For other classes, grades, and quality, market differentials will apply.
Flaxseed, bulk, 264,000 bushels.	Market price on date of sale at place of delivery, provided delivery takes place within 15 days unless otherwise agreed upon.

[1] These same lots also are available at export sales prices announced today.

Ceiling Price Certification. Any purchaser from CCC of nonfat dry milk solids, or raw linseed oil, must be able and will be required to certify that the price paid to CCC does not exceed the highest ceiling price he could pay any of his usual suppliers for the commodity in the quantity and at the place and season that a delivery is made.

FEBRUARY EXPORT PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Export sales price
Dry edible beans	No. 1 grade delivered on track present location, on basis costs and freight paid to f. a. s. vessel at locations shown below.
Pinto, bagged, 1948 crop, 360,000 hundredweight.[1]	$4.90 per 100 pounds, Portland, Oreg.; $5 per 100 pounds, U. S. Gulf ports (see note below).
Pea, bagged, 1948 and 1949 crops, 320,000 hundredweight.[1 2]	For export to Western Hemisphere countries, $6.50 per 100 pounds, East coast ports; for export to other than Western Hemisphere countries, $5.50 per 100 pounds, East coast ports.
Great Northern, bagged, 1948 crop, 326,000 hundredweight.[1 2]	$6.50 per 100 pounds, Portland, Oreg. (16,000 hundredweight only stored at The Dalles, Oreg.); $6.60 per 100 pounds, U. S. Gulf ports (see note below).
Baby lima, bagged, 1949 crop, 490,000 hundredweight.[2]	$5 per 100 pounds, San Francisco Bay area.
Red Kidney, bagged, 1948 and 1949 crops, 375,000 hundredweight.[1 2]	$5.50 per 100 pounds, New York City.
	NOTE: "U. S. Gulf ports" means ports with freight rates not greater than to New Orleans. Any excess freight will be for account of the buyer. Discounts for grades on all beans: No. 2, 25 cents less than No. 1; No. 3, 50 cents less than No. 1. Appropriate discounts will also be given for "off-color" beans. At CCC's option, 1949 crop beans may be furnished in place of 1948 beans in instances where stocks of 1948 beans of the type and grade desired are exhausted.

See footnote at end of table.

FEBRUARY EXPORT PRICE LIST—Continued

Commodity and approximate quantity available (subject to prior sale)	Export sales price
Austrian winter pea, seed, bagged, 2,210,000 hundredweight.[3]	Market price on date of sale at place of delivery, provided delivery takes place within 15 days unless otherwise agreed upon.

[1] These same lots are available at domestic sales prices announced today.
[3] *Ceiling Price Certification.* Any purchaser from CCC of Red Kidney beans or Great Northern beans for export, or of Pea beans for export to Western Hemisphere countries, must be able and will be required to certify that the price paid to CCC does not exceed the highest ceiling price he could pay any of his usual suppliers for the commodity in the quantity and at the place and season that delivery is made.

(Pub. Law 439, 81st Cong.)

Issued February 8, 1952.

[SEAL]

HAROLD K. HILL,
Acting President, Commodity Credit Corporation.

[F. R. Doc. 52-1814; Filed, Feb. 13, 1952; 8:49 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Region VI Redelgation of Authority No. 24]

DIRECTORS OF DISTRICT OFFICES, REGION VI

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR CEILING PRICES PURSUANT TO SECTIONS 33 AND 53 OF CEILING PRICE REGULATION 117, AND TO PROCESS REPORTS OF CEILING PRICES FILED PURSUANT TO SECTION 52 (b) OF CPR 117

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VI, pursuant to Delegation of Authority No. 52 (17 F. R. 904), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Cincinnati, Ohio, Cleveland, Ohio; Columbus, Ohio; Detroit, Michigan; Grand Rapids, Michigan; Louisville, Kentucky and Toledo, Ohio District Offices of the Office of Price Stabilization:

(a) To act, by order, on all applications for ceiling prices under the provisions of sections 33 and 53 of Ceiling Price Regulation 117;

(b) To disapprove ceiling prices reported pursuant to section 52 (b) of Ceiling Price Regulation 117 or to request further information concerning such ceiling prices.

This redelegation of authority shall take effect on February 17, 1952.

SYDNEY A. HESSE,
Director of Regional Office No. VI.

FEBRUARY 11, 1952.

[F. R. Doc. 52-1846; Filed, Feb. 11, 1952; 4:36 p. m.]

[Region IX, Redelegation of Authority No. 26]

DIRECTORS OF DISTRICT OFFICES, REGION IX

REDELEGATION OF AUTHORITY TO ACT UNDER GOR 24

By virtue of the authority vested in me as Acting Director of the Regional Office of Price Stabilization, Region IX, pursuant to Delegation of Authority No. 50, dated January 18, 1952 (17 F. R. 675), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to issue adopting orders as authorized by GOR 24 and to grant, deny, or revoke the reclassification provided for under section 7 of GOR 24.

2. If the area for which it is deemed appropriate to fix community dollars-and-cents ceiling prices lies within the jurisdiction of more than one regional or district office of the Office of Price Stabilization, the office for the area in which the majority of the sellers to be covered by the order is located shall be the office to issue an order fixing community dollars-and-cents ceiling prices for all sellers in that area.

This redelegation of authority shall take effect as of February 4, 1952.

THOMAS C. SWANSON,
Acting Regional Director, Region IX.

FEBRUARY 11, 1952.

[F. R. Doc. 52-1847; Filed, Feb. 11, 1952; 4:36 p. m.]

[Region IX, Redelegation of Authority No. 27]

DIRECTORS OF DISTRICT OFFICES, REGION IX

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR CEILING PRICES PURSUANT TO SECTIONS 33 AND 53 OF CEILING PRICE REGULATION 117, AND TO PROCESS REPORTS OF CEILING PRICES FILED PURSUANT TO SECTION 52 (b) OF CPR 117

By virtue of the authority vested in me as Acting Director of the Regional Office of Price Stabilization, Region IX, pursuant to Delegation of Authority No. 52, dated January 29, 1952 (17 F. R. 904), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to act, by order, on all applications for ceiling prices under the provisions of sections 33 and 53 of Ceiling Price Regulation 117.

2. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IX, to disapprove ceiling prices reported pursuant to section 52 (b) of Ceiling Price Regulation 117 or to request further information concerning such ceiling prices.

This redelegation of authority shall take effect as of February 4, 1952.

THOMAS C. SWANSON,
Acting Regional Director, Region IX.

FEBRUARY 11, 1952.

[F. R. Doc. 52-1848; Filed, Feb. 11, 1952; 4:37 p. m.]

[Region XII, Redelegation of Authority No. 26]

DIRECTORS OF DISTRICT OFFICES, REGION XII

REDELEGATION OF AUTHORITY TO ACT UNDER SR 61 OF THE GCPR

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority No. 45 (16 F. R. 12802), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to grant, modify, or disapprove applications for adjusted ceiling prices under the provisions of SR 61 of the GCPR, or to request further or additional information, pending a final determination, or to disapprove or revise downward any adjusted ceiling price granted under this supplementary regulation.

This redelegation of authority shall take effect as of January 21, 1952.

JOHN H. TOLAN, Jr.,
Director of Regional Office No. XII.

FEBRUARY 11, 1952.

[F. R. Doc. 52-1849; Filed, Feb. 11, 1952; 4:37 p. m.]

[Region XIII, Redelegation of Authority No. 11]

DIRECTORS OF DISTRICT OFFICES, REGION XIII

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 25, REVISED

By virtue of the authority vested in me as Acting Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 42 (16 F. R. 12747), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to act under sections 4 (d), 5 (c) (3), 12, 21 (c), 22, 30 (f), 30 (g), 32 (b), 33, and 34 of Ceiling Price Regulation 25, revised.

This redelegation of authority shall become effective February 11, 1952.

EARL C. HALD,
Acting Regional Director, Region XIII.

FEBRUARY 11, 1952.

[F. R. Doc. 52-1850; Filed, Feb. 11, 1952; 4:37 p. m.]

[Region XIII, Redelegation of Authority No. 12]

DIRECTORS OF DISTRICT OFFICES, REGION XIII

REDELEGATION OF AUTHORITY TO ESTABLISH CEILING PRICES IN ACCORDANCE WITH SECTION 2 (h) OF CPR 94

By virtue of the authority vested in me as Acting Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 46 (17 F. R. 362), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to establish ceiling prices under the provisions of section 2 (h) of Ceiling Price Regulation 94.

This redelegation of authority shall become effective February 11, 1952.

EARL C. HALD,
Acting Regional Director, Region XIII.

FEBRUARY 11, 1952.

[F. R. Doc. 52-1851; Filed, Feb. 11, 1952; 4:37 p. m.]

[Region XIII, Redelegation of Authority No. 13]

DIRECTORS OF DISTRICT OFFICES, REGION XIII

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR CEILING PRICES PURSUANT TO SECTIONS 33 AND 53 OF CEILING PRICE REGULATION 117 AND TO PROCESS REPORTS OF CEILING PRICES FILED PURSUANT TO SECTION 52 (b) OF CPR 117

By virtue of the authority vested in me as Acting Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 52 (17 F. R. 904), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to act by order on all applications for ceiling prices under the provisions of section 33 and 53 of Ceiling Price Regulation 117.

2. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to disapprove ceiling prices reported pursuant to section 52 (b) of Ceiling Price Regulation 117 or to request further information concerning such ceiling prices.

This redelegation of authority shall become effective February 11, 1952.

EARL C. HALD,
Acting Regional Director, Region XIII.

FEBRUARY 11, 1952.

[F. R. Doc. 52-1852; Filed, Feb. 11, 1952; 4:38 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 116, Amdt. 2]

JOHNSON BROTHERS

CEILING PRICES AT RETAIL

Statement of considerations. The accompanying amendment to Special Order 116 under Section 43, of Ceiling Price Regulation 7 modifies those provisions relating to preticketing usually required by orders of this type. This amendment, designed to meet the particular requirements of the earthenware industry, accomplishes the objective of notifying consumers of the uniform prices fixed under the order.

Amendatory provisions. 1. Delete paragraph 3 of the special order and substitute therefor the following:

3. On and after 30 days after the effective date of this special order Johnson Brothers must furnish each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered by paragraph 1 of this special order, with a sign 8 inches wide and 10 inches high, a price book, and a supply of tags and stickers. The sign must contain the following legend:

The retail ceiling prices for Johnson Brothers earthenware have been approved by OPS and are shown in a price book we have available for your inspection.

The price book must contain the accurate description of each article covered by paragraph 1 of this special order and the retail ceiling price fixed for each article. The front cover of the price book must contain the following legend:

The retail ceiling prices in this Johnson Brothers price book have been approved by the OPS under Section 43, CPR 7.

The tags and stickers must be in the following form:

Johnson Brothers
OPS—Sec. 43—CPR 7
Price $_____

Prior to 60 days after the effective date of this special order, unless the retailer has received the sign described above and has it displayed so that it may be easily seen and a copy of the price book described above available for immediate inspection, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order. On and after 60 days after the effective date of this special order, no retailer may offer or sell any article covered by this order unless he has the sign described above displayed so that it may be easily seen and a copy of the price book described above available for immediate inspection. In addition, the retailer must affix to each article covered by the order and which is offered for sale on open display (except in show windows and decorative displays) a tag or sticker must contain the retail ceiling price established by this special order for the article to which it is affixed.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must, within 90 days after the effective date of this amendment, as to each such article, send an insertion stating the required addition or change for the price book described above. After 60 days from the effective date of the amendment, no retailer may offer or sell the article, unless he has received the insertion described above and inserted it in the price book. Prior to the expiration of the 60-day period, unless the retailer has received and placed the insertion in the price book, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Effective date. This amendment shall become effective February 8, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

FEBRUARY 8, 1952.

[F. R. Doc. 52-1781; Filed, Feb. 8, 1952; 4:56 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 811]

ALEXANDRIA BEDDING CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Alexandria Bedding Co., 10th and Maple Streets, Alexandria, Louisiana.

Brand names: "Serta".

Articles: Mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

After 90 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price List.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit, dozen, etc.} Terms {net, percent EOM, etc.}	$_____

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on February 9, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

FEBRUARY 8, 1952.

[F. R. Doc. 52-1782; Filed, Feb. 8, 1952; 4:56 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 812]

GRAND RAPIDS BEDDING CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Grand Rapids Bedding Company, 52 Summer Avenue NW. Grand Rapids 4, Michigan.

Brand names: "Spring Air".

Articles: Mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling

prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 90 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit, dozen, etc.} Terms {net, percent EOM, etc.}	$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on February 9, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

FEBRUARY 8, 1952.

[F. R. Doc. 52-1783; Filed, Feb. 8, 1952; 4:57 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 813]

CROWN-REST BEDDING CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Crown-Rest Bedding Co., 308 Van Braam Street, Pittsburgh 19, Pennsylvania.

Brand names: "Downey Rest," "Sleep Cushion," "Air King," "Sleepmaster" and "Luxury".

Articles: Mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label,

tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 90 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$----- per-----{unit, dozen, etc.} Terms {net, * percent EOM, etc.} $-----	

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on February 9, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

FEBRUARY 8, 1952.

[F. R. Doc. 52-1784; Filed, Feb. 8, 1952; 4:57 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 814]

VOLUPTE, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Volupte Inc., P. O. Box 204, Elizabeth, N. J.

Brand name: "Volupte."

Articles: Compacts, carryalls, carryall carrying bags, cigarette cases, pill boxes, silent butlers, rosary boxes, lipstick cases, powder sprays, atomizers and perfume applicators.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 90 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regu-

lation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price List.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$..... per.....{unit. dozen. etc.	Terms {net. percent EOM. etc.	$.....

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $.....

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on February 9, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

FEBRUARY 8, 1952.

[F. R. Doc. 52-1785; Filed, Feb. 8, 1952; 4:57 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 815]

ENTERPRISE MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Enterprise Manufacturing Co., 110 North Union Street, Akron 9, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of fishing reels sold through wholesalers and retailers and having the brand name(s) "Pflueger" shall be the proposed retail ceiling prices listed by The Enterprise Manufacturing Co., 110 North Union Street, Akron 9, Ohio, hereinafter referred to as the "applicant" in its application dated September 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than April 9, 1952, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after April 9, 1952, The Enterprise Manufacturing Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $.....

On and after May 9, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to May 9, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice

listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1) Item (style or lot number or other description)	(Column 2) Retailer's ceiling price for articles listed in column 1
.....	$.....

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective February 9, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

FEBRUARY 8, 1952.

[F. R. Doc. 52-1786; Filed, Feb. 8, 1952; 4:57 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 816]

ORCO PRODUCTS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Orco Products, Inc., 400 Linden Avenue, Dayton 3, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line apd, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of skirt marker sold through wholesalers and retailers and having the brand names(s) "Pin-it" shall be the proposed retail ceiling prices listed by Orco Products, Inc., 400 Linden Avenue, Dayton 3, Ohio, hereinafter referred to as the "applicant" in its application dated July 9, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than April 9, 1952, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after April 9, 1952, Orco Products, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $.....

On and after May 9, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to May 9, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers—(r. Notices to be given by applicant.*—(1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective February 9, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

FEBRUARY 8, 1952.

[F. R. Doc. 52-1787; Filed, Feb. 8, 1952; 4:58 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 817]

EDMONT MANUFACTURING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Edmont Manufacturing Company, Coshocton, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of fabric gloves sold through wholesalers and retailers and having the brand name(s) "Green Thumb" shall be the proposed retail ceiling prices listed by Edmont Manufacturing Company, Coshocton, Ohio, hereinafter referred to as the "applicant" in its application dated November 9, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than April 9, 1952, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after April 9, 1952, Edmont Manufacturing Co., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $------

On and after May 9, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to May 9, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment

and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
.....	$.....

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first six-month period following the effective date of this special order and within 45 days of the expiration of each successive six-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that six-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective February 9, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

FEBRUARY 8, 1952.

[F. R. Doc. 52-1788; Filed, Feb. 8, 1952; 4:58 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 818]

CHITTENDEN & EASTMAN CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Chittenden & Eastman Company, Burlington, Iowa.

Brand names: "Square Brand."

Articles: Mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS— Sec. 43— CPR 7
Price $.....

After 90 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15

days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$..... per.....{unit, dozen, etc. Terms {net—percent EOM, etc.	$.....

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $.....

Instead of marketing the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on February 9, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

FEBRUARY 8, 1952.

[F. R. Doc. 52-1789; Filed, Feb. 8, 1952; 4:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 819]

ANSON INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Anson Incorporated, 24 Baker Street, Providence, Rhode Island, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of tie slides, collar holders, tie chains, cuff links, key chains, belt buckles, money clips, Waldemar chains, sport chains, knives, studs, combs, files, collar buttons, identification bracelets sold through wholesalers and retailers and having the brand name(s) "Anson" shall be the proposed retail ceiling prices listed by Anson Incorporated, 24 Baker Street, Providence, Rhode Island, hereinafter referred to as the "applicant" in its application dated November 7, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than April 9, 1952, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after April 9, 1952, Anson, Incorporated, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $.....

On and after May 9, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to May 9, 1952, unless the article is marked or tagged in this form, the retailers shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the sixty-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an approriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
.....	$.....

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to com-

ply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective February 9, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

FEBRUARY 8, 1952.

[F. R. Doc. 52-1790; Filed, Feb. 8, 1952; 4:59 p. m.]

[Ceiling Price Regulation 34, Section 7, Special Order 7]

CHRYSLER CORP., AIRTEMP DIVISION

CEILING PRICES FOR SALES OF OPTIONAL FIVE YEAR WARRANTY; PACKED AIR CONDITIONER COMPRESSOR

Statement of considerations. In accordance with section 7 of Ceiling Price Regulation 34, as amended, applicant in the accompanying special order has applied for approval of its proposed ceiling prices for sales of its Optional Five Year Warranties—Packaged Air Conditioner Compressor. Ceiling Price Regulation 34 requires that a seller of a service who is unable to price under any other provision of that regulation file an application with the Director of Price Stabilization for approval of his proposed ceiling prices.

It appears that applicant, during the base period, sold several models of air-conditioning units, including in the sale price of each as a usual term and condition of sale, a standard one year warranty covering repair or replacement of defective parts due to manufacture. A principal component of each of these units is the compressor assembly. It further appears that applicant wishes to offer for the greater protection of the consumer a new warranty covering these compressor assemblies which would extend to the removal, repair or replacement, and reinstallation, freight free, for a five year period from the date of original installation. The prohibitions found in CPR 22, under which applicant established its ceiling prices for the sales of the packaged air conditioner units, against altering the terms or conditions of sale, tie-in sales and unauthorized increases in ceiling prices made it necessary for applicant to offer the new warranties as additional services rather than in lieu of the standard one year warranty. In addition, applicant was required to apply for ceiling prices for these new services under CPR 34.

This special order makes it mandatory that applicant's purchasers have full option to purchase or reject the five year warranty and requires that the standard one year warranty be continued as a term and condition of sale of the packaged air conditioners irrespective of whether or not the purchaser elects to buy the five year warranty.

It appears that the ceiling prices granted in this order are in line with the level of ceiling prices otherwise established by the regulation and are consistent with the level of ceiling prices established by CPR 22, under which applicant's ceiling prices for the sale of the packaged air conditioners are established.

The warranties covered by this special order are, in actuality, the manufacturer's warranties. Ultimately, all responsibility to the consumer for the services covered by these warranties will come to rest with the applicant. For that reason, this order requires that applicant's purchasers—dealers or other resellers who will extend the coverage of the warranties to their own purchasers—offer the applicable services to their customers at no additional cost. Applicant is also required to send to each of its buyers of the covered services, a copy of this special order.

Special provisions. For the reasons set forth in the Statement of Considerations hereto, and pursuant to section 7 of CPR 34, as amended, this Special Order is hereby issued.

1. (a) The ceiling prices for the sale of Optional Five Year Warranty—Packaged Air Conditioner Compressor as defined in paragraph (b) of this section, by the Chrysler Corporation, Airtemp Division, Dayton, Ohio, referred to hereafter as "the seller", are as follows:

Packaged air conditioner unit covered	*Ceiling price*
2 ton packaged air conditioner	$32.21
3 ton packaged air conditioner	34.23
5 ton packaged air conditioner	37.33
8 ton packaged air conditioner	54.83
11 ton packaged air conditioner	61.84
15 ton packaged air conditioner	72.41

(b) The Optional Five Year Warranty—Packaged Air Conditioner Compressor, in each case for which a ceiling price has been established in paragraph (a) of this section, shall be as follows:

PACKAGED AIR CONDITIONING—COMPRESSOR UNIT ONLY FIVE YEAR WARRANTY

Chrysler Corporation, Airtemp Division, warrants the Compressor Unit only, to be free from manufacturing defects, under normal use and service for a period of five (5) years from the date of original unit installation. This compressor Unit shall consist of the sealed compressor housing, including the compressor motor and all the enclosed parts. The responsibility and obligation of Chrysler Corporation, Airtemp Division, under this Five Year Warranty is limited to the actual repair and/or replacement, the removal and reinstallation and freight costs due to the actual repair and replacement of this compressor unit or any part thereof. The Compressor Unit or part thereof should be returned freight collect by the authorized dealer making the original installation and must prove to Chrysler Corporation, Airtemp Division's satisfaction, on examination at its factory, to contain such defects.

This warranty, as stated, shall not apply to any Packaged Air Conditioning Compressor Unit which shall have been repaired or altered in any way so as, in the judgment of Chrysler Corporation, Airtemp Division, to affect its stability or reliability or shall have been subject to misuse, negligence or accident.

This warranty, and the regular one year warranty, are expressly in lieu of all other warranties expressed or implied and all other liabilities or obligations on the part of Chrysler Corporation, Airtemp Division, and Chrysler Corporation, Airtemp Division, neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of its Packaged Air Conditioning Units.

Chrysler Corporation, Airtemp Division,
Dayton, Ohio

Dealer extends the foregoing warranty to the purchaser regarding the Packaged Air Conditioning Unit sold to the purchaser hereunder in the same manner as if the word "Dealer" were substituted for the words, "Chrysler Corporation, Airtemp Division", therein, it being understood that Dealer's obligation under this warranty is limited to the actual removal, reinstallation, repair and/or replacement of the compressor unit or a part thereof at the point of installation without cost to the purchaser, and dealer does not hereby authorize anyone to remove, repair, or replace this Compressor or incur any cost in connection therewith.

This warranty and the regular one year warranty by the dealer are expressly in lieu of all other warranties expressed or implied and all other liabilities or obligations on the part of the dealer and dealer neither assumes nor authorizes any other person to assume for it any liability in connection with sale of its Packaged Air Conditioning Units.

Issued to:

Owner's Name

Address

City State

Issued by:

Name of Dealer

City State

Signature of dealer

2. Sales of the Optional Five Year Warranties covered by this special order shall be conditional on the full right and option of the purchaser to purchase or refuse to purchase these warranties.

3. Sales of the Optional Five Year Warranties covered by this special order, or their offer for sale, shall not in any way impair, limit or curtail the availability to the purchaser of the packaged air conditioner units listed in paragraph 1 (a) hereof without said Optional Five Year Warranties.

4. Sales of the Optional Five Year Warranties covered by this special order are subject to all of the provisions of CPR 34, as amended, not inconsistent with this order.

5. The ceiling prices for the sales of the Optional Five Year Warranties by the seller's dealers or other resellers shall be identical with those established for the seller in paragraph 1 of this special order, and all the provisions of this special order which relate to sales by the seller shall be equally applicable to seller's dealers or resellers.

6. This special order or any provision thereof may be revoked, suspended or amended by the Director of Price Stabilization at any time.

7. As a condition of making any sales of the Optional Five Year Warranties covered by this order, the seller shall deliver a copy of this special order to each dealer or reseller to whom it sells any of said Warranties, delivery of this special order to be made in each case at the time of or prior to the first sale of any of said warranties to the dealer or reseller after the effective date of this special order.

8. The provisions of this special order are applicable to sales of the above services in the 48 States of the United States and in the District of Columbia.

Effective date. This special order shall become effective February 13, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

FEBRUARY 12, 1952.

[F. R. Doc. 52-1907; Filed, Feb. 12, 1952; 4:39 p. m.]

Wage Stabilization Board

[Resolution No. 64, Amdt. 3]

RESOLUTION 64—DELEGATION OF AUTHORITY TO REGIONAL BOARDS

DELEGATION WITH RESPECT TO MULTI-REGIONAL PETITIONS WHERE ALL BUT A RELATIVELY FEW EMPLOYEES ARE LOCATED IN A SINGLE REGION

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161, (15 F. R. 6105), Executive Order 10233, (16 F. R. 3503), and General Order No. 3, Economic Stabilization Administrator, (16 F. R. 739), Resolution 64 (17 F .R. 54) is amended by adding the following sentence at the end of Paragraph II.E (17 F. R. 55) thereof: "The Executive Director, however, after consultation with all affected regions, may authorize a particular Regional Board to process and act upon a petition involving establishments located in more than one region, in cases where all but a relatively few employees are located in that region."

Paragraph II.E of Resolution 64, as amended herein, reads as follows:

E. Establishments located in more than one Board Region or in which the petition alleges, as one of the bases for approval, that the proposal is related to or dependent upon pending petitions of proposals or existing collective bargaining contracts involving other establishments of the petitioner which are located in other Board Regions. The Executive Director, however, after consultation with all affected regions, may authorize a particular Regional Board to process and act upon a petition involving establishments located in more than one region, in cases where all but a relatively few employees are located in that region.

NATHAN P. FEINSINGER,
Chairman.

[F. R. Doc. 52-1791; Filed, Feb. 13, 1952; 8:45 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6407]

DEPARTMENT OF THE INTERIOR, AND SOUTHWESTERN POWER ADMINISTRATION

NOTICE OF REQUEST FOR CONFIRMATION AND APPROVAL OF RATES AND CHARGES

FEBRUARY 7, 1952.

Notice is hereby given that the Secretary of the Interior has filed with the Federal Power Commission for confirmation and approval, pursuant to the provisions of the Flood Control Act of 1944 (58 Stat. 890), rates and charges for the sale of electric power and energy by the United States of America through Southwestern Power Administration (SPA), as marketing agent, to Arkansas Power & Light Company, as set forth in the contract between the United States, Arkansas Company and Reynolds Metals Company executed January 29, 1952.

The contract provisions may be summarized briefly as follows:

The basic term of the contract is for 30 years from the commencement of service, provided the rates and charges contained therein are confirmed and approved within two months from date of execution. In the event of termination by either of the parties the obligations of the Government to deliver and of Arkansas Company to receive the contract amounts of power and energy shall continue until the Arkansas Company can procure or construct 40,000 kw of additional capacity but not less than two years or longer than five years.

The Government will sell and deliver to the Arkansas Company 150,000 kw and 30,000,000 kwh per month of firm power and energy, as scheduled by the Arkansas Company. Delivery may vary from 22,500,000 kwh to 37,500,000 kwh per month but will be billed on the basis of 30,000,000 kwh per month, and it must average 30,000,000 kwh per month over the life of the contract. The total excess energy taken or stored shall not exceed 60,000,000 kwh at any time and if any stored energy is spilled over the dams it will be charged to the Arkansas Company.

Secondary energy up to 25,000,000 kwh per month will be offered by SPA to the Arkansas Company as available in excess of certain SPA's prior commitments. This energy, except at times when spillage occurs or is imminent, must be taken within the 150,000 kw demand.

The Arkansas Company may take the power and energy at any power factor which will not overload the Government's facilities or impair its service to other customers.

The rates and compensation for the power and energy to be sold by the Government to the Arkansas Company are briefly as follows:

Firm Power and Energy

The monthly rate for the first block of energy (22,000,000 kwh) and for the additional energy (8,000,000 kwh) are:

First 10 years—6.000 mills per kwh and 3.0000 mills per kwh, respectively.

Second 10 years—6.300 mills per kwh and 3.1500 mills per kwh, respectively.

Third 10 years—6.615 mills per kwh and 3.3075 mills per kwh, respectively.

Secondary Energy

First 5 years—1.25 mills per kwh.
Next 10 years—1.50 mills per kwh.
Next 5 years—1.75 mills per kwh.
Next 10 years—2.00 mills per kwh.

Provided, however, That should Reynolds Metals Company use less than 360,000,000 kwh in any year, the Arkansas Company will pay an additional charge of one mill per kwh on a number of kilowatt-hours equal to the number of kilowatt-hours that the purchases by Reynolds Metals were less than 360,000,000 kwh up to a maximum of $15,000 per month.

The second part of the contract relating to the agreement between the Arkansas Company and Reynolds Metals provides that the Arkansas Company will sell 110,000 kw of firm power to the Reynolds Company for $186,000 per month for the first 30,000,000 kwh per month, plus a charge ranging from 2.25 mills per kwh for the first year of service to 3.112 mills per kwh for the 15th year of service. An additional monthly charge of $1,250 applies after the fifth year. Another set of charges apply for the 16th through the 20th year, and a third set for the last 10 years of the contract. When Reynolds is not producing aluminum, the charge to it for all energy is 5.2 mills per kwh.

Reynolds guarantees to take or pay for not less than 3,360,000,000 kwh during the initial five years and 4,800,000,000 kwh during any consecutive 10-year period thereafter.

The portion of the contract relating to the sale of power by the Arkansas Company to Reynolds, in addition to many other special provisions, also provides that if the average cost of power to Reynolds for a period of three months during the last 15 years of the contract shall exceed four mills per kwh (based on 80,000,000 kwh per month) Reynolds may generate its own requirements in

excess of that obtained by the Arkansas Company from SPA, and the Arkansas Company will transmit such power if necessary at appropriate transmission charges.

Any person desiring to make comments or suggestions with reference to the above should submit the same on or before February 25, 1952, to the Federal Power Commission, Washington 25, D. C.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-1799; Filed, Feb. 13, 1952; 8:46 a. m.]

[Docket No. E-6408]

MAINE PUBLIC SERVICE CO.

NOTICE OF APPLICATION FOR AUTHORIZATION TO TRANSMIT ELECTRIC ENERGY TO CANADA

FEBRUARY 8, 1952.

Notice is hereby given that, pursuant to section 202 (e) of the Federal Power Act, 16 U. S. C. 791a-825r, Maine Public Service Company has filed with the Federal Power Commission an application for authorization to transmit electric energy from the United States over six points of interconnection across the international boundary, United States and Canada, with its subsidiary Maine and New Brunswick Electrical Power Company, Limited.

The electric energy proposed to be transmitted to Canada will be a redelivery to the subsidiary of that portion of the energy generated at the subsidiary's Tinker plant in Canada purchased by the Applicant but not used by the latter in serving its customers in Maine. At times, electric energy generated in Maine may be transmitted to Canada on a displacement basis, in lieu of the actual energy generated in Canada.

Any person desiring to be heard or to make any protest with reference to the proposed application, should on or before February 27, 1952, file a petition or protest with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure under the Federal Power Act. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-1802; Filed, Feb. 13, 1952; 8:47 a. m.]

[Docket No. G-1786]

OHIO FUEL GAS CO.

ORDER PERMITTING SUBSTITUTION OF PROPOSED TARIFF SHEET FOR SUSPENDED SHEET AND SUSPENDING PROPOSED NEW SHEET

FEBRUARY 7, 1952.

The Commission, pursuant to the authority contained in section 4 of the Natural Gas Act, by order issued September 6, 1951, suspended and deferred the use of The Ohio Fuel Gas Company's (Ohio Fuel) proposed FPC Gas Tariff, First Revised Volume No. 1, until February 10, 1952, and until such further time as such tariff might be made effective in the manner prescribed by the Natural Gas Act, and ordered that a hearing concerning the lawfulness of Ohio Fuel's FPC Gas Tariff, First Revised Volume No. 1, be held upon a date to be fixed by further order of the Commission.

On February 6, 1952, Ohio Fuel filed with the Commission proposed First Revised Sheet No. 6 to its FPC Gas Tariff, First Revised Volume No. 1, and requested permission, pursuant to § 154.66 of the Commission's regulations under the Natural Gas Act (18 CFR 154.66), that such filing of February 6, 1952 replace and supersede Original Sheet No. 6 of its FPC Gas Tariff, First Revised Volume No. 1, which was suspended by Commission order issued September 6, 1951.

The filing of February 6, 1952, reduces the increase in the charge for natural-gas service as applied for in said suspended Ohio Fuel FPC Gas Tariff, First Revised Volume No. 1, from approximately $2,470,000 to $1,270,000, or by approximately $1,200,000, based upon sales made for the 12 months ending June 30, 1952.

Ohio Fuel's suspended rate increase application averred that the rate increase therein applied for was necessitated principally by the impact upon its purchased gas costs, of increased rates filed by Ohio Fuel's suppliers, United Fuel Gas Company (United Fuel) and Panhandle Eastern Pipe Line Company. By order issued February 5, 1952, In the Matter of United Fuel Gas Company, Docket No. G-1781, the Commission permitted United Fuel to file certain revised sheets to its FPC Gas Tariff to replace certain other tariff sheets theretofore suspended by order of the Commission, which said revised sheets represent a reduction from the rates for natural-gas service originally applied for by United Fuel in its rate increase application. As a result, Ohio Fuel now seeks, by means of said First Revised Sheet No. 6, to reduce its suspended rate increase application to reflect the changes in its purchased gas costs which it claims result from said revised sheets to the FPC Gas Tariff of United Fuel.

The Commission finds:

(1) Special permission should be granted for the filing of said proposed First Revised Sheet No. 6 to Ohio Fuel's FPC Gas Tariff, First Revised Volume No. 1, as requested.

(2) It is necessary and proper in the public interest and to aid in carrying out the provisions of the Natural Gas Act, that the hearing heretofore ordered by the Commission with respect to the lawfulness of Ohio Fuel's FPC Gas Tariff, First Revised Volume No. 1, shall concern the lawfulness of said tariff as amended by said First Revised Sheet No. 6, and that First Revised Sheet No. 6, and the rate schedule contained therein, should be suspended as hereinafter provided and the use thereof be deferred pending hearing and decision thereon.

The Commission orders:

(A) Ohio Fuel be and it hereby is permitted to file First Revised Sheet No. 6 to its FPC Gas Tariff, First Revised Volume No. 1, to replace Original Sheet No. 6 contained in Ohio Fuel's FPC Gas Tariff, First Revised Volume No. 1, which tariff was suspended by order of the Commission issued September 6, 1951.

(B) Pursuant to the authority contained in section 4 of the Natural Gas Act, the public hearing heretofore ordered to be held upon a date to be fixed by further order of the Commission concerning the lawfulness of the rates, charges, and classifications, subject to the jurisdiction of the Commission, contained in the aforesaid Ohio Fuel's FPC Gas Tariff, First Revised Volume No. 1, and suspended by order of the Commission issued September 6, 1951, shall concern the lawfulness of said tariff as amended by said First Revised Sheet No. 6.

(C) Pending such hearing and decision thereon, said First Revised Sheet No. 6, as filed on February 6, 1952, to Ohio Fuel's FPC Gas Tariff, First Revised Volume No. 1, subject to the jurisdiction of the Commission, be and it hereby is suspended and the use thereof deferred until February 10, 1952, and until such further time thereafter as said Ohio Fuel's FPC Gas Tariff, First Revised Volume No. 1, as amended by said First Revised Sheet No. 6, might be made effective in the manner prescribed by the Natural Gas Act.

Date of Issuance: February 8, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-1801; Filed, Feb. 13, 1952; 8:47 a. m.]

[Docket No. G-1880]

UNITED GAS PIPE LINE CO.

NOTICE OF APPLICATION

FEBRUARY 8, 1952.

Take notice that United Gas Pipe Line Company (Applicant), a Delaware corporation with its principal place of business at Shreveport, Louisiana, filed on January 24, 1952 an application, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of approximately 17.3 miles of 20-inch, 7.3 miles of 24-inch and 11.3 miles of 26-inch pipeline extending from the Mustang Island (Red Fish Bay) Field near Refugio, Texas.

Applicant estimates that with an input pressure of 900 p. s. i. and a terminal pressure of 850 p. s. i. the proposed line will have a capacity of 130,000 Mcf per day. Applicant states the proposed pipeline will be used to transport into its general system natural gas purchased in the Mustang Island (Red Fish Bay) Field.

The estimated over-all capital cost of the proposed facilities is $2,735,000 to be financed out of cash on hand or, if necessary, to be borrowed by Applicant from its parent, United Gas Corporation.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and

procedure (18 CFR 1.8 or 1.10) on or before the 27th day of February 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-1798; Filed, Feb. 13, 1952; 8:46 a. m.]

[Docket No. G-1884]

TEXAS EASTERN TRANSMISSION CORP. AND SOUTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

FEBRUARY 7, 1952.

Take notice that on January 28, 1952, Texas Eastern Transmission Corporation (Texas Eastern) and Southern Natural Gas Company (Southern), Delaware corporations, having their principal places of business at Shreveport, Louisiana and Birmingham, Alabama, respectively, filed a joint application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange of gas between Texas Eastern and Southern, and for the purpose of said exchange authorizing, Applicants to construct, own, maintain, and operate certain facilities.

The facilities to be used for such exchange include an existing connection between the two companies located at Lucky, Louisiana and a new connection consisting of approximately 3,300 feet of six-inch pipeline and necessary measuring equipment to be constructed by Texas Eastern at the point of interconnection between the lines of Texas Eastern and Southern near Texas Eastern's Kosciusko compressor station in Attala County, Mississippi, and a line tap or line taps, to be constructed by Southern on its 22-inch parallel pipelines near said point. The cost of the proposed facilities is estimated to be $20,000 to Texas Eastern, and $400 to Southern, to be financed by each Applicant from cash on hand.

Applicants have entered into an exchange agreement dated January 12, 1952, by the terms of which Southern will deliver to Texas Eastern up to 35,000 Mcf. of gas per day until November 1, 1952, as requested by Texas Eastern, but only to the extent that Southern has such gas available after meeting all its other requirements and without inconvenience to its operations. After November 1, 1952 and continuing until November 1, 1957, Texas Eastern will deliver to Southern a total amount equivalent to the amount delivered by Southern until November 1, 1952; said deliveries to be made at points and times designated by Southern in quantities not greater than 35,000 Mcf. per day. Said agreement also contemplates additional deliveries of gas in the event either party requires such gas for emergency purposes. Under the agreement, Texas Eastern would advance to Southern an amount equal to 8 cents per 1,000 cubic feet of gas delivered, said amount to be returned by Southern to Texas Eastern when Texas Eastern has returned to Southern quantities of gas equivalent to the quantities taken by it up to November 1, 1952.

Said agreement would enable Texas Eastern more adequately to meet its requirements on its 20" line until November 1, 1952, and would permit Texas Eastern to return gas to Southern when Texas Eastern will have gas available above its requirements and Southern will have greater need for gas than at present. Applicants request that they be granted temporary authorization for construction and operation of said facilities under the exchange agreement.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 27th day of February 1952. The application is on file with the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-1800; Filed, Feb. 13, 1952; 8:47 a. m.]

[Docket No. G-1886]

CENTRAL ARIZONA LIGHT AND POWER CO.

NOTICE OF APPLICATION

FEBRUARY 8, 1952.

Take notice that on January 28, 1952, Central Arizona Light and Power Company (Applicant), an Arizona cofporation, having its principal place of business at Phoenix, Arizona, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the acquisition from Arizona Edison Company, Inc. (Edison) of approximately 12 miles of 2-inch pipeline, between El Paso Natural Gas Company's (El Paso) 26-inch line in Cochise County, Arizona, to the community of Bowie, Arizona, and 11 miles of 3-inch pipeline from El Paso's line near Superior, Arizona, to the communities of Ray and Sonora, Arizona, together with metering and regulating equipment.

Through these facilities, Applicant transports natural gas, which it purchases from El Paso, to its distribution systems in the aforementioned communities.

The original cost of these pipelines was $98,207, which was financed from funds on hand. Applicant proposes to transfer these facilities to Central Arizona Light and Power Company by merger with that company which will then change its name to Arizona Public Service Company.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 27th day of February 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-1803; Filed, Feb. 13, 1952; 8:47 a. m.]

[Docket No. G-1887]

ARIZONA EDISON CO., INC.

NOTICE OF APPLICATION

FEBRUARY 8, 1952.

Take notice that on January 28, 1952, Arizona Edison Company, Inc. (Applicant), an Arizona corporation, having its principal place of business at Phoenix, Arizona, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the operation of approximately 12 miles of 2-inch pipeline, between El Paso Natural Gas Company's (El Paso) 26-inch line in Cochise County, Arizona, to the community of Bowie, Arizona, and 11 miles of 3-inch pipeline, from El Paso's line near Superior, Arizona, to the communities of Ray and Senora, Arizona, together with metering and regulating equipment.

Through these facilities, Applicant transports natural gas, which it purchase from El Paso, to its distribution systems in the aforementioned communities.

The original cost of these pipelines was $98,207, which was financed from funds on hand. Applicant proposes to transfer these facilities to Central Arizona Light and Power Company by merger with that company which will then change its name to Arizona Public Service Company.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 27th day of February 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-1804; Filed, Feb. 13, 1952; 8:47 a. m.]

[Docket No. G-1888]

NEVADA NATURAL GAS PIPE LINE CO.

NOTICE OF APPLICATION

FEBRUARY 11, 1952.

Take notice that Nevada Natural Gas Pipe Line Co. (Applicant), a Nevada corporation, address, 202 North Second Street, Las Vegas, Nevada, filed on February 4, 1952, an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain transmission pipeline facilities hereinafter described.

Applicant proposes to transport natural gas for resale to Boulder City, Henderson, Las Vegas, North Las Vegas, Nevada and adjacent areas, and for direct sale to industrial customers and for such purposes to construct and operate a natural gas pipeline approximately 118 miles in length extending from a point near Toppock, Arizona, to Las Vegas, Nevada. The line will be approximately 114 miles of 10¾-inch pipe and a branch line of approximately 4 miles of 4-inch pipe. The said 10¾-inch

pipeline will have an initial capacity of 20,000 Mcf of natural gas per day.

The estimated cost of the proposed facilities is $2,400,880. The proposed financing includes the issuance of bonds, preferred and common stock.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 29th day of February 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-1823; Filed, Feb. 13, 1952; 8:49 a. m.]

[Docket No. G-1889]

LONE STAR GAS CO.

NOTICE OF APPLICATION

FEBRUARY 8, 1952.

Take notice that on February 4, 1952, Lone Star Gas Company (Lone Star), a Texas corporation with its principal place of business at Dallas, Texas, filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing it to acquire, from Martin Wunderlich and Lee Aikin, and operate certain natural-gas facilities, and further authorizing it to construct and operate certain new facilities, all as hereinafter set forth.

By order of January 8, 1952, the Commission granted a certificate of public convenience and necessity to Wunderlich and Aikin authorizing them to acquire, inter alia, the facilities of United Gas Pipe Line Company (United) included in the Wichita Falls District of United, subject to the condition that within 30 days Wunderlich and Aikin file an application for an order of the Commission permitting and approving transfer by them of said facilities to Lone Star, the Applicant herein, and to the further condition that within 90 days Lone Star file an application for and receive from the Commission a certificate of public convenience and necessity authorizing acquisition and operation by it of said facilities. Wunderlich and Aikin filed an application on January 21, 1952, in Docket No. G-1878, for authority to transfer said properties to Lone Star.

Lone Star asks authority to acquire and operate said properties, and also to construct and operate approximately 69.5 miles of 20" transmission line and related facilities, extending from the outlet of a dehydration plant in Garvin County, Oklahoma, in a southwesterly direction to Lone Star's Petrolia compressor station in Clay County, Texas. In conjunction with the above-described construction, Lone Star proposes to construct gathering lines, well lines, and field lines in Garvin, Grady, and Stephens Counties, Oklahoma, as well as three dehydration plants to be located in Garvin and Stephens Counties, Oklahoma. Said additional construction would enable Lone Star to render more adequate service to the combined Wichita Falls System during and after 1952-1953.

The cost of all of the facilities which Lone Star proposes to acquire from Wunderlich and Aikin, including distribution properties to be purchased for $1,555,750.34, is $5,598,128.91. The cost of the facilities to be constructed is $4,010,200, including $2,799,400 for the facilities for which certificate authorization is sought in the application. Lone Star proposes to finance the proposed acquisition and operation from operating revenues and from bank and insurance company loans.

Lone Star asks that its application be considered under the shortened procedure provided by the Commission's rules, and that the application be consolidated with the application of Wunderlich and Aikin in Docket No. G-1878 for the purpose of disposition. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 27th day of February 1952.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-1805; Filed, Feb. 13, 1952; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-102, 59-32]

GENERAL GAS & ELECTRIC CORP. ET AL.

SUPPLEMENTAL ORDER AUTHORIZING ACQUISITION AND SALE OF SECURITIES, WITH RECITALS PURSUANT TO SUPPLEMENT R OF INTERNAL REVENUE CODE

FEBRUARY 8, 1952.

In the matters of General Gas & Electric Corporation, Trustees of Associated Gas and Electric Corporation (File No. 54-102); General Public Utilities Corporation (File No. 59-32).

Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation ("Agecorp Trustees"), a registered holding company, and General Gas & Electric Corporation ("Gengas"), a registered holding company and a subsidiary of Agecorp Trustees, having jointly filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act") for approval of a plan of divestment of assets, simplification of corporate structure, and equitable distribution of voting power of Gengas ("Gengas Plan") wherein, among other things, (1) the holders of Gengas' preferred stock were to receive shares of the $50 par value 5 percent cumulative preferred stock of South Carolina Electric & Gas Company ("South Carolina") plus a cash adjustment, and the holders of Gengas' Class A and Class B common stocks were to receive shares of common stock of Florida Power Corporation ("Florida") plus a cash adjustment, and (2) in the event the holders of Gengas' preferred and Class A and Class B stocks did not, on or before December 1, 1951, submit their Gengas securities to the distribution agent for exchange, they would not be entitled thereafter to receive the securities and cash allocated to them by the Gengas Plan, and such securities and cash would become the property of the Agecorp Trustees free and clear of all claims; and

The Commission having on July 25, 1945, and August 23, 1945, entered orders approving the Gengas Plan and directing the Agecorp Trustees to divest themselves of their interest in Florida (Holding Company Act Release Nos. 5950 and 6001), and the United States District Court for the Southern District of New York having on October 15, 1945, and October 22, 1945, entered orders directing the enforcement of the Gengas Plan, and the said Plan having been consummated as of December 1, 1945; and

It appearing that on August 13, 1942, the Commission entered an order pursuant to section 11 (b) (1) of the act directing the Agecorp Trustees to divest themselves of their interest in South Carolina (11 S. E. C. 1115); and

It further appearing that, pursuant to a plan of reorganization of Associated Gas and Electric Company ("Ageco") and Associated Gas and Electric Corporation ("Agecorp") consummated January 14, 1946, pursuant to section 11 (f) of the act and Chapter X of the Bankruptcy Act, Agecorp was merged into Ageco and the name of the latter corporation was changed to General Public Utilities Corporation ("GPU"); and

A post-effective amendment to the Gengas Plan having been filed stating that at least 6,750 shares of the common stock of Florida and 475 shares of the $50 par value 5 percent cumulative preferred stock of South Carolina are now entitled to be received by GPU pursuant to the terms of the Gengas Plan, and requesting the Commission: (1) To approve the acquisition by GPU from the distribution agent of the shares of the common stock of Florida and the shares of the $50 par value 5 percent cumulative preferred stock of South Carolina, plus cash, which GPU is entitled to receive pursuant to the terms of the Gengas Plan; (2) to modify the orders entered August 13, 1942, July 25, 1945, and August 23, 1945, so as to permit GPU to effectuate the sale of the shares of common stock of Florida and preferred stock of South Carolina within 90 days after receipt thereof from the Distribution agent, either (a) for cash on the New York Stock Exchange, or (b) off said exchange at a price which is not less than the difference between (i) the closing sale price for such stock on the exchange on the last full business day preceding the date of the agreement of sale—or, if there shall be no sale of such stock on such day, the closing bid price on such day for such stock, and (ii) the broker's commissions which would have been payable with respect to such sale if it had been effected on said exchange; and (3) in its order approving the transactions, to make the appropriate recitals in order to satisfy the requirements of sections 371 to 373 inclusive (Supplement R) and 1808 (f) of the Internal Revenue Code; and

The Commission having considered such post-effective amendment to the Gengas Plan, and deeming it appropriate in the public interest and in the interest

of investors and consumers to approve same and to permit it to become effective forthwith, and to grant the request with respect to appropriate recitals to conform to the requirements of the Internal Revenue Code:

It is ordered, That said post-effective amendment be, and the same hereby is, approved and permitted to become effective forthwith.

It is further ordered and recited, That the following transactions are necessary or appropriate to the integration or simplification of the GPU system and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

1. The transfer and delivery by the distribution agent to GPU and the receipt thereof by GPU of 6,750 shares of common stock of Florida, 475 shares of the $50 par value 5 percent cumulative preferred stock of South Carolina and cash held by the distribution agent and not now required for distribution to the public security holders of Gengas under the Gengas Plan, together with such further transfers, deliveries and receipts from time to time, of such additional numbers of shares of such stock and such additional amounts of cash as may hereafter not be required for such purpose.

2. The sale, transfer and delivery, from time to time, by GPU of any such shares of common stock of Florida and $50 par value 5 percent cumulative preferred stock of South Carolina, received as set forth above, within ninety days after the receipt thereof, (a) for cash on the New York Stock Exchange or (b) off said exchange at a price which is not less than the difference between (i) the closing sale price for stock on the exchange on the last full business day preceding the date of agreement of sale—or, if there shall be no sale of such stock on such date, the closing bid price on such date for such stock, and (ii) the broker's commissions which would have been payable with respect to such sale if it had been effected on said exchange.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-1807; Filed, Feb. 13, 1952; 8:48 a. m.]

[File No. 70-2775]

MYSTIC POWER CO.

ORDER GRANTING AUTHORITY TO ISSUE NOTES

FEBRUARY 8, 1952.

The Mystic Power Company ("Mystic"), a public utility subsidiary of New England Electric System, a registered holding company, having filed an application, and an amendment thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act"), with respect to the following transactions:

Pursuant to a Bank Credit Agreement, dated December 27, 1951, with Industrial Trust Company, Providence, Rhode Island, Mystic proposes to issue, from time to time, on or before June 30, 1953, promissory notes in an aggregate principal amount not in excess of $500,000. All of said notes will mature on July 1, 1953, and will bear interest at the prime 90-day commercial rate (presently 3 percent per annum) generally being charged by banks in Providence, Rhode Island, on the fifth day prior to borrowings but in no event less than 3 percent per annum nor more than 3¼ percent per annum. It is stated that a commitment fee at the rate of one-quarter of one percent per annum will be paid on the average daily unborrowed balance from the effective date of the agreement. The proceeds from the sale of the notes will be used to pay the company's presently outstanding bank loans aggregating $325,000 and for construction and gas conversion costs.

The proposed transactions have been duly authorized by order of the Connecticut Public Utilities Commission. It is represented that there are no fees, commissions or other remuneration involved, other than expenses, estimated not to exceed $1,000, to be paid to New England Power Service Company, an affiliated service company. Also, the Bank Credit Agreement provides that Mystic will reimburse the bank for out-of-pocket expenses, including counsel fees in connection with said agreement. It is stated that the company expects such expenses to be nominal. The applicant requests that the Commission's order herein become effective upon issuance.

Due notice having been given of the filing of the application and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that it is not necessary to impose any terms or conditions, other than those prescribed in Rule U-24, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application, as amended, be granted effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application, as amended, be, and it hereby is, granted effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-1810; Filed, Feb. 13, 1952; 8:48 a. m.]

[File No. 70-2789]

NARRAGANSETT ELECTRIC CO.

NOTICE OF PROPOSED ISSUE AND SALE OF BONDS

FEBRUARY 8, 1952.

Notice is hereby given that the Narragansett Electric Company ("the company"), an electric utility subsidiary of New England Electric System, a registered holding company, has filed an application pursuant to the Public Utility Holding Company Act of 1935 ("the act"), and has designated section 6 (b) of the act and Rules U-23 and U-50 thereunder as applicable to the proposed transaction, which is summarized as follows:

The company proposes to issue and sell, subject to the competitive bidding requirements of Rule U-50, $7,500,000 principal amount of Series C Bonds, to be dated March 1, 1952, to mature on March 1, 1982, and to be secured, equally and ratably with the presently outstanding Series A and Series B Bonds, by the company's First Mortgage Indenture and Deed of Trust dated September 1, 1944, as amended and supplemented. The terms and conditions relating to bids provide that each bid shall specify the coupon rate (to be a multiple of ⅛ of 1 percent) to be borne by the Bonds, and the price (exclusive of accrued interest) to be paid to the company therefor, which shall be not less than the principal amount nor more than 102¾ percent thereof.

The company states that the proceeds of the sale, exclusive of accrued interest and expenses of issuance, will be applied to the payment of short-term notes payable to five banks evidencing borrowings made for construction, which aggregated $7,200,000 on January 22, 1952. The company anticipates that short-term note indebtedness incurred in connection with construction presently in progress will be increased to $7,900,000 prior to the issuance of the Series C Bonds.

The company further states the issue and sale of the bonds are solely for the purpose of financing its business, and that such securities will be issued and sold only if expressly authorized by the Public Utility Administrator of Rhode Island, in which State the company is organized and doing business.

The company estimates that its expenses in connection with the proposed transaction will be $75,000. It requests that the Commission's order herein become effective upon issuance.

Notice is further given that any interested person may, not later than February 27, 1952 at 5:30 p. m., request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said application, as filed or as amended, may be granted as provided by Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-1811; Filed, Feb. 13, 1952; 8:48 a. m.]

[File No. 70-2792]

AMERICAN GAS AND ELECTRIC CO. AND INDIANA & MICHIGAN ELECTRIC CO.

NOTICE REGARDING ISSUANCE AND SALE BY SUBSIDIARY OF COMMON STOCK AND ACQUISITION OF SUCH STOCK BY PARENT COMPANY AND RELATED ACCOUNTING TRANSACTIONS

FEBRUARY 8, 1952.

Notice is hereby given that American Gas and Electric Company ("American Gas"), a registered holding company, and one of its public-utility subsidiary companies, Indiana & Michigan Electric Company ("Indiana"), have filed a joint application-declaration with the Commission pursuant to the provisions of the Public Utility Holding Company Act of 1935, particularly sections 6 and 10 of the act.

All interested persons are referred to said joint application-declaration which is on file in the offices of this Commission for a more detailed statement of the transactions therein proposed, which are summarized as follows:

Indiana proposes to issue and sell and American Gas proposes to acquire 50,000 shares of Indiana's common stock, without par value, in consideration for $8,000,000 represented by cash capital contributions previously made to Indiana by American Gas. Indiana proposes to charge its "Other Deferred Credits" Account (Account No. 242) and credit its "Common Capital Stock" Account (Account No. 200) with the said amount of $8,000,000.

It is stated that the above transactions are being proposed so that Indiana may comply with an order of the Public Service Commission of Indiana dated January 10, 1952, wherein the Indiana Commission required such procedure to be taken at the time it authorized Indiana to issue and sell $17,000,000 principal amount of its 1982 Bonds and $6,000,000 principal amount of its Serial Notes. This Commission authorized American Gas to make the cash capital contribution to Indiana in the aggregate principal amount of $8,000,000 in its order dated December 3, 1951 (Holding Company Act Release No. 10907), and granted the application of Indiana for the issuance and sale of the above-mentioned Bonds and Serial Notes by orders dated January 11 and 23, 1952. (Holding Company Act Releases Nos. 11001 and 11022.)

Indiana states that the proposed issuance of its common stock is subject to the jurisdiction of the Public Service Commission of Indiana in which State Indiana is organized and doing business, and by the Michigan Public Service Commission in which State Indiana is qualified to do, and is doing, business.

Notice is further given that any interested person may, not later than February 20, 1952, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues of fact or law, if any, raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after February 20, 1952 at 5:30 p. m., e. s. t., said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-1809; Filed, Feb. 13, 1952; 8:48 a. m.]

[File No. 812-669]

UNITED STATES & INTERNATIONAL SECURITIES CORP.

NOTICE OF SUPPLEMENTAL APPLICATION FOR ORDER EXEMPTING TRANSACTION BETWEEN AFFILIATED PERSONS

FEBRUARY 8, 1952.

Notice is hereby given that United States & International Securities Corporation (hereinafter referred to as "International"), a registered investment company, has filed a supplemental application pursuant to section 17 (b) of the Investment Company Act of 1940 for a supplemental order of the Commission exempting from the provisions of Section 17 (a) of the act a proposed transaction, hereinafter described, pursuant to which International proposes to purchase shares of stock of a corporation hereinafter referred to as "Y Corporation" for the purpose of identification.

On April 26, 1950, International filed an application pursuant to section 17 (b) of the act for an order of the Commission exempting from the provisions of section 17 (a) of the act the proposed purchase by International from Y Corporation (which International together with others proposed to cause to be organized for the purpose of bidding for the stock of Schering Corporation which was about to be offered by the Office of Alien Property of the Department of Justice) of 25 percent of the common stock of Y Corporation.

The application stated that International together with certain individuals who are officers of Dillon, Read & Co., (hereinafter referred to as "Dillon Read") and the firms of F. S. Moseley & Co. (hereinafter referred to as "Moseley") and Riter & Co. (hereinafter referred to as "Riter") planned to incorporate a corporation, the name of which had not been determined but which was referred to as Y Corporation. The individual officers of Dillon Read who would participate were: Charles S. McCain, Henry H. Egly, Frederic H. Brandi, William H. Draper, Jr., Wilbur C. DuBois, Charles E. Kock, August Belmont, Thomas F. Troxell, Arthur L. Wadsworth, Edwin N. Bigelow, and A. J. Gilles. Y Corporation would issue 50,000 shares of its stock at the price of one dollar per share. Approximately 25 percent of such shares would be purchased by International and approximately 75 percent by the above individuals, and by Moseley and Riter. The funds raised by the sale of this initial issue of stock of Y Corporation would enable it to defray the expenses of the investigation of the business of Schering Corporation, legal expenses and other costs incurred to determine the price which Y Corporation would bid for the stock of Schering Corporation. After the completion of its investigation, Y Corporation would determine the amount which it would bid for the stock of Schering Corporation and the exact number of additional shares of its own stock which must be sold, and the price at which they must be sold, to provide funds for such purpose. International, Dillon Read, Moseley and Riter would then obligate themselves to purchase from Y Corporation additional shares of its stock (probably between fifteen and thirty times the number of shares theretofore issued by Y Corporation), such obligation to be contingent upon the bid of Y Corporation being successful. The price per share to be paid by International and the price per share to be paid by such other purchasers would be exactly the same. It would depend on the price which Y Corporation would bid for the stock of Schering Corporation (after taking into account the proceeds to be received from the sale of the note referred to below) but might well be between seven dollars and fifteen dollars per share. International, Moseley and Riter would each buy the same percentage of this second issue of the stock of Y Corporation as they bought of the first issue of such stock. Dillon Read would buy the same percentage of this second issue as the officers of Dillon Read bought of the first issue of such stock. In addition, Y Corporation would obtain a commitment from an unaffiliated corporation to purchase a note to be issued by Y Corporation (or by the corporation resulting from the merger of Y Corporation with Schering Corporation which was contemplated) such obligation also to be contingent on the bid of Y Corporation being successful. The purpose of selling the note of Y Corporation was to provide part of the funds to pay for the stock of Schering Corporation. The exact terms of such note had not been determined but it was anticipated that it would be a term note payable in installments maturing over a period of fifteen years, or at least ten years, and that it would bear interest at a rate not less than 2½ percent and not greater than 4 percent.

The application further stated that Y Corporation would then submit a bid for the capital stock of Schering Corporation and if its bid was successful, it would merge with Schering Corporation. International intended to continue for an indefinite period to hold as an investment the shares of stock of the merged corporation acquired by it. The other purchasers intended to continue for an indefinite period to hold as an investment those shares of stock of the merged corporation acquired by them which represented the initial shares issued by Y Corporation at $1.00 per share, but they intended to sell immediately or after a short period all or most of those shares of the merged corporation acquired by them which represented the additional shares issued by Y Corporation. Those

shares which it was intended to sell immediately or after a short period of time would be sold at a price approximately equal to that at which they were purchased from Y Corporation, except that there might be some slight increase in price, perhaps enough to cover transfer taxes and other expenses. In no event would any such increase exceed one-half of one per cent of the price at which such shares were purchased from Y Corporation.

Since International would be a promoter as well as a member of a controlling group of Y Corporation, the latter would become upon organization, an affiliated person of International by reason of the provisions of section 2 (a) (3) (C) of the act, and as a result of such affiliation, Y Corporation would be prohibited by section 17 (a) (1) of the act from selling its shares to International unless the Commission by order issued pursuant to section 17 (b) of the act exempted the sale from the prohibition of the act.[1] On May 18, 1950 the Commission issued an order exempting the proposed purchase by International from Y Corporation from the provisions of section 17 (a) of the act. (Investment Company Act Release No. 1472.)

The supplemental application filed February 5, 1952, states that although in May 1950 it was expected that the stock of Schering Corporation would be offered for bidding in the near future, it was not until February 1, 1952, that the Attorney General announced the issuance of a prospectus under the Securities Act of 1933 constituting an invitation for sealed bids. Such bids must be submitted on March 6, 1952. In accordance with the proposed program, Y Corporation has already been incorporated in Delaware (under the name of "Stockbridge Corporation") and 50,000 shares of its stock have already been issued at the price of $1 per share. 25 percent of said shares have been purchased by International and 75 percent by the above individuals and by Moseley and Riter.

The supplemental application further states that in the year and eight months which have passed since the order was issued, certain changes have occurred both in market conditions and in the plans for putting the desired program into effect. Such changes are as follows:

(a) Originally it was contemplated that the note to be issued by Y Corporation to an unaffiliated corporation would be a term note, payable in installments maturing over a period of fifteen years, or at least ten years, and that it would bear interest at a rate not greater than 4 percent. It is now desired to issue a note which will mature over a period of not exceeding twenty years and which will bear interest at a rate not greater than 4½ percent. It is considered preferable, if it can be negotiated, to have a somewhat longer term of note than was originally contemplated. Interest rates have increased so much since May 1950, that it is no longer possible to borrow from an insurance company at as low an interest rate as was then contemplated.

(b) Originally it was contemplated that, after the issue of the first 50,000 shares of stock by Y Corporation, Dillon Read, Moseley, and Riter would obligate themselves to purchase from Y Corporation additional shares of its stock at a higher price (which price was to be exactly the same price per share to be paid by International for the shares to be purchased at the same time by it for investment) and that Dillon Read, Moseley, and Riter intended to sell immediately or after a short period all or most of the shares of the merged corporation which would represent such additional shares. It was also contemplated that such shares would be sold at a price approximately equal to that at which they were purchased from Y Corporation, and in no event would any increase in price exceed ½ of 1 percent of the price at which such shares were purchased from Y Corporation. Dillon Read, Moseley, and Riter now feel that it may be desirable to sell some or all of such additional shares as agents rather than as principals. To the extent that any of such additional shares are sold by Dillon Read, Moseley, or Riter as agents the sales will be made at the same price per share at which International is to buy the shares of such second issue to be purchased by it for investment. No commissions will be paid in connection with any of such sales on an agency basis. The supplemental application states that selling on an agency basis will be simpler and more direct than having a purchase and resale. Any of said shares not sold on an agency basis would also be purchased by Dillon Read, Moseley or Riter, at the same price per share to be paid by International for the shares of such second issue to be purchased by it for investment.

(c) Originally it was contemplated that International would buy and hold for investment the same percentage of the second issue of Y Corporation's stock as it did of the first issue, which was 25 percent. International now desires to buy and hold for investment not less than 15 percent and not more than 25 percent of the second issue of stock and to dispose of the difference, if any, between 25 percent of the second issue and the percentage of the second issue purchased by it for investment, on an agency basis or by purchase and resale, in either case in exactly the same way as Dillon Read, Moseley, and Riter desire to dispose of shares of the second issue as stated in the order and in paragraph (b) above. The reasons for this change are: (i) Since May 1950 International has had an opportunity—not at all foreseen at that time—to purchase privately for investment over $500,000 worth of the common stock of Eli Lilly and Company, a large ethical drug manufacturer in the same industry as Schering, which investment International still holds; (ii) there has been a substantial increase in the market value of other ethical drug investments held by International; and (iii) the attractiveness of an investment in Schering as large as originally contemplated may be somewhat lessened by the altered status of the Schering patents as set forth in the Schering registration statement filed with the Commission on January 18, 1952. International is investigating and studying Schering and its trade position and does not expect to reach a decision on the exact size of the investment it will seek in Schering until shortly before the date set for bidding. In the meantime, International desires to maintain a flexible position within the limits of the authority granted by the order and the minor modifications requested herein. International will retain as an investment 25 percent of the first issue of stock of Y Corporation which it already holds, so that if it retains as an investment less than 25 percent of the second issue of stock the proportion of its cheap stock to its expensive stock will be greater than contemplated by the terms of the order.

All interested persons are referred to said supplemental application which is on file in the offices of the Commission for a detailed statement of the proposed transactions and the matters of fact and law asserted.

Notice is further given that a supplemental order granting the application in whole or in part and upon such conditions as the Commission may deem necessary or appropriate may be issued by the Commission on or at any time after February 20, 1952, unless prior thereto a hearing upon the application is ordered by this Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may submit to the Commission in writing, not later than February 19, 1952, at 5:30 p. m., his views or any additional facts bearing upon the application or the desirability of a hearing thereon, or a request to the Commission that a hearing be held thereon. Any such communication or request should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington, D. C.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-1808; Filed, Feb. 13, 1952; 8:48 a. m.]

[1] Upon consummation of the sale, International would become a holder of more than 5 percent of the outstanding stock of Y Corporation, as a result of which Y Corporation would be an affiliated person of International also by reason of the provisions of section 2 (a) (3) (B).

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 18750]

BERNHARDINE BECKER

In re: Rights of Bernhardine Becker under Insurance Contract. File No. D-28-3880-H-2.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law

181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Bernhardine Becker, whose last known address is 39 Schorn Strasse, Essen, Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. GA 0109 Certificate 695 issued by the Aetna Life Insurance Company, Hartford, Connecticut, to William Liesen, together with the right to demand, receive and collect said net proceeds, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Bernhardine Becker, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that such person be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 7, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1829; Filed, Feb. 13, 1952; 8:50 a. m.]

[Vesting Order 18751]

ELIZABETH BOPP

In re: Rights of Elizabeth Bopp under Insurance Contract. File No. F-28-31766-H-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Elizabeth Bopp, whose last known address is Ruesselsheim/Main, Goethestrasse 7, American Zone, Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 11702 issued by the Unity Life and Accident Insurance Association, Syracuse, New York, to Friedrich Bopp, together with the right to demand, receive and collect said net proceeds, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Elizabeth Bopp, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that such person be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 7, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1830; Filed, Feb. 13, 1952; 8:50 a. m.]

[Vesting Order 18752]

ANTON GOETZER

In re: Estate of Anton Goetzer, deceased. D 28-13080.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Siegfried Goetzer, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of Anton Goetzer, deceased, which is in the process of administration by John J. O'Hara, administrator, acting under the judicial supervision of the Hudson County Court, Probate Division, New Jersey, is property which is, and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Siegfried Goetzer, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that such person be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 7, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1831; Filed, Feb. 13, 1952; 8:50 a. m.]

[Vesting Order 18753]

YONEJIRO KASHIWABARA

In re: Estate of Yonejiro Kashiwabara, deceased. D 39-19196 E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Namiyo Kashiwabara and Shoichi Kashiwabara, whose last known address is Hiroshima, Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Riu Kashiwabara, deceased, and of Katsujiro Kashiwabara, deceased, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the sum of $6,262.30 and any accumulations thereon and less any lawful fees deposited with the Treasurer

and Receiver General of the Commonwealth of Massachusetts on April 5, 1943, pursuant to an order of the Probate Court, Suffolk County, Boston, Massachusetts, in the matter of the estate of Yonejiro Kashiwabara, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Japan);

4. That such property is in the process of administration by the Treasurer and Receiver General of the Commonwealth of Massachusetts, as depositary, acting under the judicial supervision of the Superior Court, County of Suffolk, Boston, Massachusetts;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Riu Kashiwabara and of Katsujiro Kashiwabara, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 7, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1832; Filed, Feb. 13, 1952; 8:50 a. m.]

[Vesting Order 18754]

JOAHAN SCHULZ

In re: Estate of Joahan Schulz, also known as Rafael or Raphael Lesny or Ralph Lesing, deceased. File No. D-28-13087; E. T. Sec. 17202.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Bernhard Lesing, also known as Bernhard Lesny, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is and prior to January 1, 1947, was a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to the Estate of Joahan Schulz also known as Rafael or Raphael Lesny or Ralph Lesing, deceased, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Bernhard Lesing, also known as Bernhard Lesny, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Hyman Wank, Public Administrator of Kings County, as administrator, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

and it is hereby determined:

4. That the national interest of the United States requires that the person named in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 7, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1833; Filed, Feb. 13, 1952; 8:50 a. m.]

[Vesting Order 18755]

HELENE AUE ET AL.

In re: Securities owned by Helene Aue and others. F-28-31777, F-28-28145, F-28-23607-A-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Helene Aue, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was a national of a designated enemy country (Germany);

2. That Georg Boehringer, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany);

3. That August Kraemer, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany);

4. That Kaethe Schubert, also known as Kaethe Enz Schubert, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany);

5. That Franz Hosemann, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany);

6. That Agnes Eckhardt, also known as Agnes Grube Eckhardt, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany);

7. That the property described as follows: Those certain debts or other obligations, matured or unmatured, evidenced by four (4) The Denver and Rio Grande Western Railroad Company 5 percent General Mortgage Sinking Fund Gold Bonds of 1924, numbered C-2539, C-3620, C-3621 and C-4399, each of $100 face value, together with any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bonds,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Helene Aue, the aforesaid national of a designated enemy country (Germany);

8. That the property described as follows: Twenty-five (25) shares of 6 percent preferred stock of Central States Electric Corporation in Reorganization, 1208 Mutual Building, Richmond 19, Virginia, evidenced by a certificate numbered NYG/SPO 1081, registered in the name of Madame Catharina Boehringer, together with all declared and unpaid dividends thereon,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Georg Boehringer, the aforesaid national of a designated enemy country (Germany);

9. That the property described as follows: Twenty-five (25) shares of $6.00 par value capital stock of Franco Wyo-

ming Oil Company, 3605 Market Street, Wilmington, Delaware, evidenced by five certificates numbered 48826, 55232, 56372, 56373, and 60679, each for five shares, issued in bearer form, together with all declared and unpaid dividends thereon,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, August Kraemer, the aforesaid national of a designated enemy country (Germany);

10. That the property described as follows: Those certain debts or other obligations, matured or unmatured evidenced by three (3) The Denver and Rio Grande Western Railroad Co. 5 percent General Mortgage Sinking Fund Gold Bonds, having an aggregate face value of $300, numbered C-6152, C-6153 and C-6154, together with any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bonds,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Kaethe Schubert, also known as Kaethe Enz Schubert, the aforesaid national of a designated enemy country (Germany);

11. That the property described as follows: Twenty-five (25) shares of common stock of American Zinc, Lead and Smelting Company, 420 Lexington Avenue, New York 17, New York, evidenced by a certificate numbered CO 16459, registered in the name of Franz Hosemann, together with all declared and unpaid dividends thereon,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Franz Hosemann, the aforesaid national of a designated enemy country (Germany);

12. That the property described as follows: Six (6) shares of 6 percent cumulative preferred stock of Indiana Service Corporation, Fort Wayne, Indiana, evidenced by a certificate numbered CP/O-3719, registered in the name of Agnes Eckhardt, nee Grube, together with all declared and unpaid dividends thereon, and any and all rights under the Amended Plan of Corporate Simplification of Indiana Service Corporation, as approved by the Securities and Exchange Commission and ordered to be enforced by the District Court of the United States of Indiana, Fort Wayne Division,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Agnes Eckhardt, also known as Agnes Grube Eckhardt, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

13. That the national interest of the United States requires that the persons identified in subparagraphs 1 through 6, inclusive, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 7, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1834; Filed, Feb. 13, 1952; 8:50 a. m.]

[Vesting Order 18756]

NATALIE DECKER

In re: Bonds owned by Natalie Decker. F-28-31809.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Natalie Decker, whose last known address is 70 Ungerstrasse, Muenchen 23, Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligations matured or unmatured, evidenced by two (2) 5 percent American & Foreign Power Company Gold bonds, having an aggregate face value of $2,000.00, said bonds bearing the numbers M22545 and M22546 for $1,000 each, together with any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bonds,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Natalie Decker, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the person identified in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 7, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1835; Filed, Feb. 13, 1952; 8:50 a. m.]

[Vesting Order 18757]

UNKNOWN GERMAN NATIONALS

In re: Bond owned by German nationals whose names are unknown. F-28-31729.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the persons referred to in subparagraph 2 hereof whose names are unknown and who, if individuals, there is reasonable cause to believe, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and which if partnerships, corporations, associations or other business organizations, there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were organized under the laws of and had their principal places of business in Germany are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation, matured or unmatured, evidenced by one (1) Rock Island, Arkansas and Louisiana Railroad Company First Mortgage 4½ Percent Bond numbered D3152 of $500.00 face value, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bond,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons referred to in subparagraph 1 hereof, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that such persons be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 7, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1836; Filed, Feb. 13, 1952; 8:50 a. m.]

[Vesting Order 18758]

RICHARD OTTO LORENZ ET AL.

In re: Scrip certificates owned by Richard Otto Lorenz and others.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the persons whose names and last known addresses are listed below:

Name	Last known address	OAP file No.
Richard Otto Lorenz	17 Senefelderstrasse, Chemnitz, Germany	F-28-2525. D-28-12513.
Erich Dumont	Germany	
Edward Kuhlow	Eggesin-Pommern, Possewalkerstrasse 8, Germany	
Katherine Horn	c/o A. Meyer Santorioustrasse, No. 27, Hamburg 19, Germany	
Rudolf Stoetzer	Heidelberg-Rohrbach, Karlsuherst 85, Germany	

on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were, nationals of a designated enemy country (Germany);

2. That the property described as follows: All rights, interests and claims in and to and arising out of or under a scrip certificate for 1659/1910ths of a share in the voting trust of the capital stock of Seaboard Trust Company, in dissolution, 95 River Street, Hoboken, New Jersey, said certificate numbered 4205,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Richard Otto Lorenz, the aforesaid national of a designated enemy country (Germany);

3. That the property described as follows: All rights, interests and claims in and to and arising out of or under a scrip certificate for an interest in the voting trust of the capital stock of the Seaboard Trust Company, in dissolution, 95 River Street, Hoboken, New Jersey, said scrip certificate numbered 1975 issued in bearer form, including particularly but not limited to any proceeds of redemption therefrom,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Erich Dumont, the aforesaid national of a designated enemy country (Germany);

4. That the property described as follows: All rights, interests and claims in and to and arising out of or under a scrip certificate for an interest in the voting trust of the capital stock of the Seaboard Trust Company, in dissolution, 95 River Street, Hoboken, New Jersey, said scrip certificate numbered 3841, issued in bearer form, including particularly but not limited to any proceeds of redemption therefrom,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Edward Kuhlow, the aforesaid national of a designated enemy country (Germany);

5. That the property described as follows: All rights, interests and claims in and to and arising out of or under a scrip certificate for an interest in the voting trust of the capital stock of the Seaboard Trust Company, in dissolution, 95 River Street, Hoboken, New Jersey, said scrip certificate numbered 3270 issued in bearer form, including particularly but not limited to any proceeds of redemption therefrom,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Katherine Horn, the aforesaid national of a designated enemy country (Germany);

6. That the property described as follows: All rights, interests and claims in and to and arising out of or under a scrip certificate for an interest in the voting trust of the capital stock of the Seaboard Trust Company, in dissolution, 95 River Street, Hoboken, New Jersey, said scrip certificate numbered 6923, issued in bearer form, including particularly but not limited to any proceeds of redemption therefrom,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Rudolf Stoetzer, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

7. That the national interest of the United States requires that the persons identified in subparagraph 1 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 7, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1837; Filed, Feb. 13, 1952; 8:51 a. m.]

[Vesting Order 18759]

SERAFINA STEINIKE

In re: Bond owned by the personal representatives, heirs, next of kin, legatees and distributees of Serafina Steinike, deceased. F-28-31811.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Serafina Steinike, deceased, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany are, and prior to January 1, 1947, were, nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation matured or unmatured evidenced by

One (1) 4 percent St. Louis Southwestern Railway Company First Mortgage Gold Bond, due 1989, numbered 8735 and of $1,000.00 face value, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bond,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Serafina Steinike, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the persons referred to in subparagraph 1 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 7, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1838; Filed, Feb. 13, 1952; 8:51 a. m.]

[Vesting Order 18760]

M. UHRLAUB

In re: Bonds owned by the personal representatives, heirs, next of kin, legatees and distributees of M. Uhrlaub, deceased. F-28-31808.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR, 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of M. Uhrlaub, deceased, who there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are and prior to January 1, 1947 were, nationals of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligations matured or unmatured, evidenced by four (4) Southern Pacific Company-San Francisco Terminal First Mortgage 4 Percent Bonds, due 1950, having an aggregate face value of $2,000.00, said bonds being numbered D-10476, 15170, 5795 and 7355, together with any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bonds,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of M. Uhrlaub, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the persons referred to in subparagraph 1 hereof be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 7, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1839; Filed, Feb. 13, 1952; 8:51 a. m.]

[Vesting Order 18761]

UNKNOWN ENEMY NATIONALS

In re: Securities owned by designated enemy nationals whose names are unknown. F-28-20169.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows:

a. Those certain debts or other obligations, matured or unmatured, evidenced by the bonds and debentures identified in Exhibit A, attached hereto and by reference made a part hereof, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with all rights in, to and under the aforesaid bonds and debentures, presently in the custody of the Federal Reserve Bank of New York, including particularly, but not limited to, the right to possession thereof.

b. That certain debt or other obligation, matured or unmatured, evidenced by one (1) $1,000 Cities Service Company Refunding 5 percent Debenture due January 1, 1966, No. 11537, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation, together with all rights in, to and under the aforesaid debenture, presently in the custody of J. P. Morgan & Co., 23 Wall Street, New York, New York, in an account subject to License No. NY 869657-SL, including particularly, but not limited to, the right to possession thereof.

c. That certain debt or other obligation, matured or unmatured, evidenced by one (1) $1,000 Union Pacific Railroad Company First Mortgage R. R. and Land Grant 4 percent Bond due July 1, 1947, No. 41137, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation, together with all rights in, to and under the aforesaid bond,

is property which is and prior to January 1, 1947, was within the United States;

2. That the property described in subparagraph 1 hereof is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by, persons who, if individuals, there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe on or since December 11, 1941, and prior to January 1, 1947, were organized under the laws of or had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are and prior to January 1, 1947, were nationals of a designated enemy country;

and it is hereby determined:

4. That the national interest of the United States requires that the persons referred to in subparagraph 2 hereof be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany.

Executed at Washington, D. C., on February 7, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column I Issue	Column II Principal amount	Column III Numbers
American & Foreign Power Co., Inc., 5 percent debenture due Mar. 1, 2030...	$1,000	46055.
Baltimore & Ohio R. R. Co. (The), first 4 percent bonds due 1948.....	1,000	50081, 50082, 50083.
Cities Service Co., refunding 5 percent debenture due Jan. 1, 1966.....	1,000	8176.

[F. R. Doc. 52-1840; Filed, Feb. 13, 1952; 8:51 a. m.]

[Vesting Order 14324, as Amended, Amdt.]

WILLIAM BRAEUNINGER

In re: Estate of William Braeuninger, Deceased. D-28-4261.

Vesting Order 14324, dated February 8, 1950, and amended May 14, 1951, is hereby further amended as follows and not otherwise:

By deleting from said Vesting Order 14324, as amended, the following paragraph:

There is hereby vested in the Attorney General of the United States the property described in subparagraph 5 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries;

and substituting therefor the following paragraph:

There is hereby vested in the Attorney General of the United States the property described in subparagraph 5 hereof.

All other provisions of said Vesting Order 14324, as amended, and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on February 7, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1841; Filed, Feb. 13, 1952; 8:51 a. m.]

[Vesting Order 16938, Amdt.]

ELLEN SIEMSSEN ET AL.

In re: Cash and securities owned by Ellen Siemssen and others.

Vesting Order 16938, dated January 4, 1951, is hereby amended as follows and not otherwise:

By deleting from subparagraph 7 (b) of said Vesting Order 16938 the phrase "(200) shares of $10.00 par value" set forth with regard to common stock of General Motors Corporation and substituting therefor the phrase "(200) shares of $5.00 par value",

All other provisions of said Vesting Order 16938 and all action taken by or on behalf of the Attorney General in reliance thereto, pursuant thereto, and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C., on February 7, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1842; Filed, Feb. 13, 1952; 8:51 a. m.]

LUCIA VANNONI PICCHIETTI ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Lucia Vannoni Picchietti, Sant'annapelago, Italy; Claim No. 42159; $481.21 in the Treasury of the United States.

Marina Picchietti, (in Lenzini), Pisa, Italy; Claim No. 42113; $192.49 in the Treasury of the United States.

Angelo Picchietti, Sant'annapelago, Italy; Claim No. 42160; $192.49 in the Treasury of the United States.

Stephano Picchietti, Sant'annapelago, Italy; Claim No. 42161; $192.49 in the Treasury of the United States.

Marianna Picchietti, Sant'annapelago, Italy; Claim No. 42162; $192.49 in the Treasury of the United States.

Executed at Washington, D. C., on February 6, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-1843; Filed, Feb. 13, 1952; 8:51 a. m.]